

Complaints Policy and Procedure

Ampleforth Abbey Trust & Ampleforth Abbey Trading Ltd.

September 2020

Person responsible for Policy	Director of Governance, People & Culture
Ratified by	Ampleforth Abbey Trust
Version Number	1.1
Date Approved	September 2020
Review Period	1 year or sooner if circumstances change
Next Review Date	September 2021

Policy: At a glance

- This policy is about dealing with complaints received, for example relating to the conduct of an AAT representative, the level of service received or the conditions on the Ampleforth site. It explains how to deal with such a complaint to resolve it effectively.
- The policy applies in relation to a complaint received about an AAT representative (as detailed below), another person on the Ampleforth site or the service or experience received by AAT.
- The policy does not apply in relation to any complaints about St Laurence Education Trust matters.

Complaints Policy

1. Introduction/Purpose

- 1.1 If an individual or organisation that has come into contact with the Ampleforth Abbey Trust or its works (including Ampleforth Abbey Trading Ltd) is unhappy with the service they have received, something they have witnessed or some other matter, they have a right to raise this complaint, confident in the knowledge that the matter will be dealt with proportionately, appropriately and fairly. AAT views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.
- 1.2 This policy and accompanying procedure explain how AAT handles complaints received and the process for dealing with them. It is intended that a complaint received can be dealt with in accordance with this policy and procedure in a way that is satisfactory to both the complainant and AAT.

2. Scope

- 2.1 This policy applies to any complaint received by a complainant (both as defined below), in relation to:
 - 2.1.1 Their service or experience in interacting with AAT or its representatives;
 - 2.1.2 Any employee of AAT;
 - 2.1.3 Any trustee of AAT;
 - 2.1.4 Any member of the monastic community at Ampleforth; and
 - 2.1.5 Any other visitor, guest, retreatant or contractor whilst on the Ampleforth site or engaging with any works of Ampleforth taking place offsite for which AAT or AATL has legal responsibility.

(This list is not intended to be exhaustive).
- 2.2 A complaint raised by a student or parent at Ampleforth College or St Martin's Ampleforth may fall within the scope of this policy, provided that it relates to matters for which AAT (rather than St Laurence Education Trust) is responsible. If a complaint is received by such an individual that relates St Laurence Education Trust matters, the individual receiving the complaint should pass this on (as explained in section 6.1 below).
- 2.3 Complaints raised by an employee about another person or situation are outside the scope of this policy. Complaints or concerns relating to the safety or wellbeing of a child or adult at risk are also outside the scope of this policy. Please see below section 6 for further information.

3. Definitions

- 3.1 AAT means the Ampleforth Abbey Trust and, where relevant, Ampleforth Abbey Trading Limited (AATL).
- 3.2 Complainant means an individual or organisation that makes a complaint falling within the scope of this policy. This may include (but is not limited to) organisations working with AAT, visitors, retreatants, members of the local community, members of the monastic community, or those with a legitimate interest in AAT and its works. In this policy, a complainant is also referred to as 'you', as the context requires.
- 3.3 Complaint means any expression of dissatisfaction, whether justified or not, about any aspect of Ampleforth Abbey Trust. This complaint may be made orally or in writing (including in person, by phone, by email or by post) and may be classed as a complaint even in the absence of this term being used by the complainant. It is not the purpose of this policy and procedure to provide individuals with a power to review or substitute decisions validly made by AAT or its employees/trustees in the usual operation of the business of AAT. Therefore, a matter will not be considered as a complaint under this policy where it is an expression of dissatisfaction relating to a business decision taken by AAT or any AAT employee or trustee which it or s/he was validly entitled to make and acted properly in making.
- 3.4 Policy Owner means the person responsible for this policy as set out on the front page.

4. Policy Statement

- 4.1 AAT is committed to ensuring:
 - 4.1.1 A fair complaints procedure is provided, which is clear and easy to use for anyone wishing to make a complaint;
 - 4.1.2 The existence of our complaints procedure is suitably publicised, so that individuals and organisations understand the process used in dealing with a complaint and the underlying principles behind that process;
 - 4.1.3 Everyone at AAT knows what to do if a complaint is received;
 - 4.1.4 All complaints are investigated fairly and in a timely way;
 - 4.1.5 That complaints are, wherever possible, resolved and that relationships are repaired; and
 - 4.1.6 The organisation is able to learn from complaints and improve what we do and how we do it as a result of complaints received.
- 4.2 The aim of this policy and procedure is to set out how these commitments will be met.
- 4.3 All complaint information will be handled sensitively and in compliance with all relevant data protection requirements and AAT's published privacy notices.

5. Responsibilities

5.1 The Policy Owner is responsible for:

5.1.1 ensuring that this policy and procedure is disseminated to all within AAT who may receive a complaint which falls within the scope of this policy, including employees, volunteers and members of the monastic community;

5.1.2 ensuring the policy and procedure is made easily available to potential complainants and is publicised suitably; and

5.1.3 monitoring the complaints received and their resolution to identify and address any trends or areas of concern.

5.2 It is envisaged in the procedure that some forms of complaint can be dealt with informally at the point of complaint by the individual receiving the complaint (AAT envisages that complaints will be received and dealt with by line managers).

6. Relationships to other policies/procedures

6.1 Where a complaint received relates to matters solely within the scope of St Laurence Education Trust, the matter should be directed to a suitable individual within SLET so that it may deal with the complaint in accordance with its complaints policy. Where a complaint relates to both AAT and SLET, the Policy Owner should liaise with the relevant SLET representative to ensure a co-ordinated and proportionate approach is taken to dealing with the complaint.

6.2 Where a complaint is made in relation to a work of AAT that takes place away from the main Ampleforth site, due regard must be had for any additional or supplementary policies or procedures relating to the receipt and handling of complaints

6.3 Where a complaint is raised by an employee of AAT, this must be dealt with under the Grievance Policy and Procedures or Whistleblowing Policy (as applicable), which must be applied in place of this policy.

6.4 Where a complaint raises issues of safeguarding, these must be reported immediately in accordance with the AAT Policy and Procedures for the Protection and Safeguarding of Children, or the Safeguarding Adults Policy and Procedure (as applicable).

6.5 Any personal data collected and processed under this policy and procedure will be dealt with in line with AAT's applicable privacy notices in place from time to time.

Complaints Procedure

Scope

1. Form of complaint

- 1.1 A complaint made in writing may be sent to AAT at the Human Resources Department, Ampleforth Abbey, York YO62 4EN Trust or by e-mail at hr@ampleforth.org.uk, who will deal with the matter directly or, if they are unable to resolve the matter or you are unsatisfied with the response, will forward the complaint to a designated member of staff to deal with the complaint and resolve the matter.
- 1.2 A complaint may also be made by phone to 01439 766000 or in person at reception or to a member of the hospitality team (or offsite to the AAT representative responsible for the activity).

2. Timing and nature of complaint

- 2.1 Complaints should be made promptly and in any event within 3 months of the date of the matter being complained about. AAT will only consider complaints made after this time if compelling reasons are presented to justify this.
- 2.2 AAT and its employees will not consider complaints that are vexatious or unreasonable in nature (as determined by the member of AAT staff considering the complaint). AAT may take appropriate action against individuals who make such complaints if it is appropriate to do so.
- 2.3 Where an individual makes more than one complaint concurrently, the Policy Owner will have the discretion to appoint the same individual to consider all such complaints and deal with them concurrently under this procedure.

3. Anonymous complaints

- 3.1 AAT does not encourage anonymous complaints and will not normally consider complaints made anonymously, as proper investigation may be impossible when it is not possible to obtain further information from the complainant. In particular it makes it difficult to establish that the complaint is credible. Therefore when an anonymous complaint is made, and there is insufficient evidence or information for AAT to properly investigate it, it will be concluded that the complaint does not warrant further investigation.
- 3.2 Where an anonymous complaint does contain sufficient information to enable it to be investigated and it is concluded that in the circumstances it is appropriate to do so, the Policy Owner will delegate an individual to consider the complaint in writing, in accordance with Stage One set out below. Unless the individual making the complaint waves his or her right to anonymity, Stage Two will not be available in respect of such complaints.

4. Complainant's conduct

- 4.1 Whilst any complaint is being considered under this procedure, the complainant must not publish, discuss, or otherwise refer to the complaint or its subject matter on any form of media,

including social media, or encourage or facilitate any third party in doing so. Any contravention of this restriction may impact on the ability of AAT to investigate the matter independently and in accordance with this procedure. This may result in the individual considering the complaint at the relevant stage to conclude that AAT is no longer prepared to investigate the complaint, or that such a disclosure is evidence of vexatious or malicious practice.

Process For Resolving Complaints

5. Stage One: Informal Resolution

- 5.1 A complaint should be raised either in writing or by phone. The individual receiving your complaint will try to resolve the complaint directly if it is possible and appropriate to do so or, if this is not possible or you are unsatisfied with the response, the individual receiving the complaint will forward your complaint to their line manager to deal with the complaint.
- 5.2 If a complaint is not resolved directly at the time it is raised, it should be acknowledged by the person handling the complaint within a week (this person will either be the line manager or an individual who has been passed the complaint to deal with by that person). The acknowledgement should say who is dealing with the complaint and when you can expect a reply. A copy of this complaints procedure should be attached.
- 5.3 Ideally you should receive a definitive reply within four weeks. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.
- 5.4 The reply to you should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

6. Stage Two: Formal Procedure

- 6.1 If, following notification of the outcome of your complaint under Stage 1, you are not satisfied with this outcome, you can write to AAT at the address set out above requesting that the complaint is reviewed by a senior manager.
- 6.2 The request for formal review should ordinarily be acknowledged within a week of receiving it. The acknowledgement should say who will deal with the case and when you can expect a reply.
- 6.3 The senior manager may investigate the facts of the case themselves or delegate a suitable person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One.
- 6.4 If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.
- 6.5 The person who dealt with the original complaint at Stage One should be kept appropriately informed of what is happening, but should not be involved in the Stage Two procedure.

- 6.6 Ideally you should receive a definitive reply within four weeks. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.
- 6.7 Whether the complaint is upheld or not, the reply to you should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

7. Stage Three: Board Appeal

- 7.1 If you still feel that the problem has not been satisfactorily resolved at Stage Two, you can request that the complaint is appealed at Board level.
- 7.2 Any appeal should be submitted within 30 days of the issue of the outcome of stage two of the complaint.
- 7.3 The request for Board level review should be acknowledged within a week of receiving it.
- 7.4 At this stage, the complaint will be passed to the Chair of the AAT (unless the complaint is about the Chair or he is otherwise conflicted from acting, in which case the matter will be passed to another member of the Board).
- 7.5 The Chair or other appointed member of the Board will review the information and facts gathered at stages One and Two of the complaints procedure and the resulting decisions and conclusions. They will not carry out a new investigation of the facts of the case themselves, except in exceptional circumstances.
- 7.6 The person(s) who dealt with the original complaint at Stages One and Two should be kept appropriately informed of what is happening, but should not be involved in the appeal.
- 7.7 Ideally complainants should receive the outcome of the appeal within four weeks.
- 7.8 The decision taken at this stage is final and there is no further right of appeal.

8. Flowchart

- 8.1 The full procedure for the management of a complaint (stages 1, 2 and 3) is summarised in the flow chart at the end of this document.

9. Charity Commission

- 9.1 You can complain to the Charity Commission at any stage.
- 9.2 Information about the kind of complaints the Commission can involve itself in can be found on their website at: www.charitycommission.gov.uk/publications/cc47.aspx

10. Variation of the complaints procedure

- 10.1 Whilst this procedure is intended to resolve issues in a timely and proportionate manner, it is recognised that some situations may arise where following the stages and timeframes set out in

this procedure would not be appropriate or practicable in the circumstances. Where AAT (acting through the Policy Owner or otherwise) determines this to be the case, AAT reserves the right, acting reasonably, to modify the procedure as necessary and/or deal with a complaint outside of this procedure.

11. Monitoring and learning from complaints

- 11.1 All complaints and their outcomes should be recorded centrally. Any individual who receives a complaint should therefore notify this to the Policy Owner in the manner communicated from time to time by the Policy Owner, who will log the complaint in the complaints log. This should be done within one week of receiving the complaint (or shorter if the matter is reasonably considered to be particularly serious) and should include any anonymous complaints received which are determined to be credible and are therefore dealt with in accordance with this procedure, along with any complaint received that was dealt with informally at the time of receipt.
- 11.2 All complaints should be reviewed monthly by the Policy Owner to identify any trends which may indicate a need to take further action.
- 11.3 On an annual basis, a summary of the total number and types of complaints received by AAT will be presented to the AAT Board and any trends or matters of concern will be considered by the Board as appropriate.

**Ampleforth Abbey Trust Complaints Procedure
Internal Management Process**

