



Policy name:	Complaints Policy
Author:	Chloe Davies, Head of Operations
Approved by:	Senior Management Team
Approved date:	21st November 2022
Review schedule:	Annually

Revision number	Date	Details of Change(s)

1. Reason for Policy	3
2. General Principles	3
3. Complaints procedure	4
Expressing Dissatisfaction	4
Acknowledgement	5
Investigation	5
Reporting back	5
Appeals	6
Unreasonable complaints	6
4. Other related policies and procedures	6

1. Reason for Policy

This policy is to clarify and explain the Magic Me complaints procedure. Magic Me describes a complaint as any expression of dissatisfaction (with Magic Me and its service, with a member of staff, volunteer, freelancer, or with a Magic Me Trustee) that relates to Magic Me and that requires a formal response.

A complaint can be raised by any person including but not limited to participants/service users, freelancers, artists, volunteers.

2. General Principles

Magic Me seeks to offer a quality service. As part of this commitment, it is the responsibility of the Charity's staff, volunteers, freelancers and trustees to raise awareness of the existence of the Complaints Policy. This means that where people are dissatisfied with the nature of, or quality of the Charity's work, they are aware of their right of complaint.

A complaint is an expression of dissatisfaction, whether justified or not regarding:

- the standard of service we provide
- the behaviour of our staff, volunteers, trustees or freelancers
- any action or lack of action by a Magic Me member of staff, volunteer, trustee or freelancer affecting an individual or group

Our complaints policy does not cover:

- matters that have already been fully investigated through this complaints procedure
- anonymous complaints
- complaints about access to information where procedures and remedies are set out in legislation, eg Freedom of Information Act, Data Protection Act

Magic Me acknowledges that making a complaint either formally or informally is a difficult undertaking for most people. As such, all those making a complaint will be offered independent support to assist them through the complaints process. Any person/group wishing to raise a complaint will be offered assistance. This may be assistance from within the Magic Me team or outside. This will depend on the requirements of the complaint.

It will be made clear to the complainant they are able to ask for support from outside the organisation at any stage of the complaints procedure: this can be through the Citizens

Advice or other organisations, or a councillor, or if preferred, a friend or relative as long as they have your permission to represent them.

Anonymous complaints

Complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation.

Confidentiality

All complaints will be handled sensitively, telling only those who need to know and following any relevant data protection requirements

Responsibility

Overall responsibility for this policy and its implementation lies with the Magic Me Board of Trustees.

3. Complaints procedure

Dealing with a complaint informally (where appropriate)

How to make a complaint

Before raising a formal complaint, the complainant is encouraged in the first instance to talk directly and informally to the person concerned regarding the complaint and explain clearly what aspect of the person's behaviour is unacceptable, or is causing offence, and request that it stop immediately. It may be that the person whose conduct is causing offence or issue of concern is genuinely unaware that their behaviour/issue of concern is unwelcome or objectionable.

The person may want to add that, if the behaviour continues, they intend to make a formal complaint.

Magic Me recognises that complaints of a serious nature may not be appropriate to be dealt with informally. This includes, but is not limited to, discrimination, physical abuse, sexual abuse, accusations of theft.

The organisation also recognises that some complaints may result in formal criminal proceedings.

If in doubt regarding whether a complaint should be dealt with formally or informally, please contact the Head of Operations for guidance.

Formal procedure

The Magic Me complaints procedure has 5 stages with an appeals process at the end should the complainant be dissatisfied with the process or response.

Expressing Dissatisfaction

The complainant will need to inform Magic Me of the nature of their complaint with as much detail as possible. Ideally this would be done in writing either via email or letter. However, if this is not possible a meeting will be arranged to enable the complainant to explain and clarify their dissatisfaction - the complainant will be able to bring someone to support them at this meeting. After the meeting the representative from Magic Me will collate meeting notes and any actions to be taken to be approved by the complainant which will form the basis of the complaint.

Where possible, formal complaints should always be made in writing, for the attention of the Director of Magic Me, 26 Pott Street, London, E2 0EF. If this is not possible, an oral complaint will be adequate in person at the above address or over the phone on 020 3222 6064. Verbal complainants will be provided with a record of their verbal complaint for accuracy. Where complaints are about the Director, they should be forwarded to the Chair of Trustees, **David Russell at chair@magicme.co.uk**.

Acknowledgement

Receipt of the complaint will be acknowledged within seven working days. All persons involved in the complaint will be notified by the Director.

We will endeavour to provide a full response to your complaint within 28 days of our receipt of your complaint. In the event that it is not possible to provide a full response by this time, we will tell you when you can expect to receive a reply.

Investigation

All formal complaints will be investigated by someone independent of the complaint. If required, this investigation will be done by an external independent person. A decision will then be made on the justification for the complaint and the action to be taken. In some circumstances this may lead to disciplinary action in accordance with Magic Me's procedures.

The person investigating the complaint will:

- Make sure that they understand the complaint
- Check that the complaint has been acknowledged

- Review the issues raised in the complaint
- Consider the issues afresh for themselves
- Investigate as necessary
- Collate a report regarding the complaint

Reporting back

On completion of the investigation a report will be produced. It will contain details regarding the investigation, any conclusions that were reached and any actions that will be taken to remedy the situation or ensure the issues raised do not occur again.

If the complaint is upheld (i.e. the outcome of the review finds in favour of the complainant), the person who brought the complaint will receive an apology and, where appropriate, be given details of any action that will be taken to remedy the situation or at least put things right for the future. In the event of a serious complaint this may include legal action.

This report will be sent to the complainant either by email or post, depending on their preference.

Appeals

If the complainant is not happy with the report and Magic Me's response, they should write to the Director of Magic Me setting out clearly why they are dissatisfied and making it clear what they would like to be reviewed. Magic Me will respond to this appeal within 10 working days of receiving it. If the complainant is unable to provide a written appeal, they should contact the Director who will organise a meeting. At this meeting the complainant will need to make clear what it is they are dissatisfied with and what they require reviewing. After the meeting, the representative from Magic Me will collate meeting notes and outcomes to be approved by the complainant which will form the basis of the appeal. The appeal will be heard by an agreed impartial/objective party.

Unreasonable complaints

We will let you know if we believe your complaint is unreasonable and we may require you to contact us in a particular way.

A complaint may become unreasonable for any of the following reasons, for example if you:

- refuse to follow our complaints procedure
- refuse to be specific or continually change the basis of your complaint

- make excessive demands on staff resource
- submit repeated complaints on the same issue
- adopt a 'scattergun' approach by sending your complaint to different people
- use abusive language

4. Adjustments and support

If throughout the process a complainant requires any additional support or adjustments e.g. relating to disability, cultural needs, language, please inform Magic Me so support can be put in place.

5. Other related policies and procedures

Equality, Equity, Diversity and Inclusion policy