Artish Huddersfield CIC

COMPLAINTS POLICY

1.0 Aims of this procedure

1.1 The **Artish Huddersfield CIC** Complaints, Comments, and Compliments Procedure aims to ensure that:

- Complaints, comments, and compliments are handled consistently and promptly in a fair and objective way
- **Artish Huddersfield CIC** representatives have the guidance, knowledge, and confidence to deal with complaints, comments, and compliments consistently
- Complaints, comments, and compliments information is regularly and effectively monitored
- Complaints, comments, and compliments information is regularly analysed and used to improve the services provided

2.0 Using this procedure

2.1 Our complaints, comments, and compliments procedure has three main stages and a final appeals stage. Each stage is described more fully below.

2.1.1 Stage One (Informal Resolution): These items make up the majority of the comments and complaints received by **Artish Huddersfield CIC**. They can be received verbally, via email, letter, comment form, social media, website, or telephone call.

2.1.2 This stage includes comments/compliments of a positive or neutral nature that may not require a response but should still be logged for monitoring purposes, enabling **Artish Huddersfield CIC** to identify trends, and will not require escalation beyond Stage One.

2.1.3 **Artish Huddersfield CIC** representatives are encouraged to deal with complaints at this stage where appropriate, as **Artish Huddersfield CIC** encourages all representatives to directly resolve complaints in the first instance wherever possible.

2.1.4 Stage Two (Formal Investigation) complaints require a formal investigation and are dealt with by the **Artish Huddersfield CIC** director Diane Barker (unless the complaint relates to Diane Barker, when the designated **Artish Huddersfield CIC** director Thomas Mckevitt will investigate).

2.1.5 Stage Three (Internal Review) complaints are dealt with by the Board of Directors.

2.1.6 Stage Four (Appeals): Appeals are dealt with by an Appeals Panel, comprising all directors who have not been previously involved. The panel will focus on the procedure followed and the action taken.

2.2 **Artish Huddersfield CIC** representatives should encourage people to give their names and contact details when making a complaint so that we can check facts with them and provide them with a response when their complaint has been dealt with. The complainant should be assured that their identity will be protected if they do not want their name/contact details to be disclosed.

2.3 **Artish Huddersfield CIC** representatives should ask the complainant, at the earliest possible stage, what they want as an outcome of their complaint and make a record of this.

Data Protection legislation

2.4 Complaint, comment, and compliment information is covered under data protection legislation, and personal identifiable information is to be held confidentially by **Artish Huddersfield CIC.**

2.4.1 Should a request be received for information relating to the above legislation and the holding of personal information, then consideration should initially be given to the guidance available within the **Artish Huddersfield CIC** Data Protection Policy.

2.5 Information regarding the progress of complaints should only be communicated through the contact methods agreed upon with the complainant or in person by the **Artish Huddersfield CIC** representative dealing with the complaint.

3.0 Anonymous complaints

3.1 Anonymous complaints are generally harder to investigate. However, some complainants may feel unable or unwilling to provide their names. This should not stop **Artish Huddersfield CIC** investigating their complaint if we believe it is genuine and made in good faith.

4.0 Complaint, Comment, and Compliment STAGES

4.1 Stage One – Informal Resolution

4.1.1 This stage offers **Artish Huddersfield CIC** the opportunity for an informal and reasonably quick resolution of an initial expression of dissatisfaction or complaint. The vast majority of complaints will be received and handled satisfactorily at this stage.

4.1.2 Complaints dealt with at this stage include those:

- that are more like problems to be sorted, rather than complaints
- That might even be requests for changes to the service rather than complaints
- complaints or problems that can be resolved quickly and easily and don't require a full investigation
- complaints where a response can be given within 3 days. There may be exceptional circumstances when some information is difficult to obtain within 3 days. In these situations, the complaint could still be dealt with at Stage One, so long as a full investigation is not required and the complainant is kept informed by an acknowledgement letter/email

4.1.3 This stage also includes the receipt of compliments/comments of a positive or neutral nature.

4.1.4 Wherever possible, **Artish Huddersfield CIC** representatives are encouraged to resolve problems at this stage to the complainant's satisfaction so they do not feel it necessary to pursue it to the next stage. Research has shown that many complainants want an apology, an explanation, or an assurance that the problem will not be repeated.

4.1.5 Once a complaint is received in Stage One, the complainant should be contacted by the **Artish Huddersfield CIC** representative dealing with the complaint to inform the customer who is

dealing with it and acknowledge receipt of the complaint. This person will then take ownership of the complaint throughout the Stage One process.

4.1.6 Complainants should be told when **Artish Huddersfield CIC** will aim to provide a response by, and contact should be made in person or via the telephone unless this is not possible. An email or letter can be sent if contacting the complainant by these methods is not possible.

4.1.7 The **Artish Huddersfield CIC** representative should ensure that the complaint is resolved and be aware of the progress made, even if it is escalated past a stage where they can deal with it.

4.1.8 If a complainant is not satisfied at this stage, they must be told how to progress their complaint to Stage Two and what the nature of that stage is—a formal complaint handling stage dealt with by **Artish Huddersfield CIC** Director Diane Barker (or Director Thomas Mckevitt if the complaint relates to **Artish Huddersfield CIC** Director Diane Barker).

4.2 Stage Two – Formal Investigation

4.2.1 This is a more formal stage. Some complaints may go straight to this stage without being dealt with at Stage One. Complaints at Stage Two should, wherever possible, be set out in writing (letter or email) so that there is a clear record of what the customer felt went wrong and, in their view, how it could be put right. The complainant should receive a letter or e-mail clarifying their complaint and letting them know that the **Artish Huddersfield CIC** director Diane Barker is investigating their complaint (or Director - Thomas McKevitt if the complaint relates to Artish Huddersfield CIC Director Diane Barker)

4.2.2 Complaints dealt with at this stage are those:

- complaints with any reference involving safeguarding of children and vulnerable adults (escalated immediately to Stage Two)
- serious complaints involving a member of **Artish Huddersfield CIC** staff
- that cannot be dealt with quickly and requires a full investigation to be carried out by the **Artish Huddersfield CIC** Director—Diane Barker (or Director Thomas Mckevitt if the complaint relates to the **Artish Huddersfield CIC** Director Diane Barker).
- where a complainant remains dissatisfied after their complaint was dealt with at Stage One.

4.2.3 In some of these cases, it may be possible to conclude very quickly that there is nothing further to add to the decision that was reached at Stage One. In other cases, a more extensive investigation will be needed.

4.2.4 The complainant should be provided with a response within 10 working days or a timescale agreed with the complainant in more complex cases. Again, the aim at this stage should be to resolve the complaint to their satisfaction. If a complainant is not satisfied at this stage, they must be told how to progress their complaint to Stage Three and what the nature of that stage is—an internal review of the issues raised to ensure **Artish Huddersfield CIC** has considered all avenues of investigation.

4.3 Stage Three – Internal Review

4.3.1 Stage Three complaints arise when a complainant remains dissatisfied with the response at Stage Two and requests a further review. Stage Three complaints are reviewed by **Artish Huddersfield**

CIC Board of Directors and seek to consider if the process followed in handling the complaint has been appropriate.

4.3.2 An acknowledgement letter will be sent to the customer by **Artish Huddersfield CIC** within 3 days of escalation to this stage. A response should be provided within a reasonable timescale (maximum of 20 working days), and the complainant should be informed.

4.4 Stage Four—Appeals

4.4.1 Should the complainant continue to be dissatisfied following the above 3-stage process, then the complaint can be referred on to the **Artish Huddersfield CIC Board of Directors.** The Board will reconsider the process followed and any action taken.

4.4.2 An acknowledgement will be sent to the complainant by the director, Diane Barker, within 3 days of escalation to this stage, stating that the complaint is now being considered by the full Board of Directors and providing an estimate for when a full response can be expected. This will be provided by the director, Diane Barker, on behalf of the Board.

4.4.3 If, following the completion of Stage 4, the complainant continues to be dissatisfied, the complainant should be advised to discuss the matter with the CIC Regulator, as they may be able to consider the issue.

5.0 Unreasonable complaints

5.1 Unreasonably persistent and/or vexatious complainants

5.1.1 Some complainants can become unreasonably persistent or vexatious. These complainants can cause undue stress and result in a disproportionate use of resources. When dealing with such complainants, **Artish Huddersfield CIC** representatives should firstly ensure this procedure has been correctly followed and that no element of the complaint has been overlooked or inadequately addressed.

5.1.2 Where complaints have been identified as persistent or vexatious, they should be referred to **Artish Huddersfield CIC** director Diane Barker, who will determine what action to take. (Please see *Appendix 1* below for further guidance.)

6.0 Violent or abusive complainants

6.1 Where a complainant submits a complaint that may be perceived as being abusive or threatening, it should be dealt with as a Stage Three complaint.

Artish Huddersfield CIC's definition of violence is any incident in which an **Artish Huddersfield CIC** representative perceives that they have been unacceptably abused, threatened, or assaulted by a person with whom they come into contact in circumstances arising out of their employment.
This includes:

- a physical attack
- serious verbal abuse
- sexual or racial harassment

7.0 Learning from complaints

7.1 When an individual complains, they may not be the only one experiencing a particular problem. A complaint gives **Artish Huddersfield CIC** the chance to highlight recurring themes or systemic problems and rectify them before they become bigger and undermine our capacity to deliver.

7.2 Issues raised by a complaint, a series of complaints, or aggregated complaints data may point to the need for improvements to prevent future complaints of a similar nature. After handling or investigating a complaint, the question should always be asked: *are there any lessons to be learnt, and if so, what action needs to be taken?*

APPENDIX 1

Guidance on Dealing with Unreasonably Persistent and/or Vexatious Complainants

1. This guidance aims to help **Artish Huddersfield CIC** representatives identify situations where complainants may be considered unreasonably persistent and/or vexatious and to suggest how to deal with them.

2. Most people are responsible for how they act and behave when making a complaint. However, a small minority make complaints that are unreasonably persistent or vexatious. These complaints have the potential to absorb a disproportionate amount of resources. In addition, they can cause undue stress for the **Artish Huddersfield CIC** representatives involved.

3. This guidance does not offer a way to avoid difficult or time-consuming questions. Of course, all reasonable measures should be taken to resolve all complaints, and we must consider whether everything has really been done to try to resolve the issue and whether our tone was empathetic to the complainant's point of view.

4. However, there may be times when there is nothing further that can be done to assist individuals in resolving a complaint. Where this is the case, investigations should be brought to a close.

5. This guide should help **Artish Huddersfield CIC** representatives identify vexatious or unreasonably persistent complainants and suggest how to deal with them. A summary of the process to be followed is included below.

When is a complaint unreasonably persistent or vexatious?

6. Before deciding whether a particular complainant is unreasonably persistent and/or vexatious, their complaint(s) must be fully considered. **Artish Huddersfield CIC** representatives should firstly ensure the **Artish Huddersfield CIC** complaints and/or appeals procedure has been correctly followed and that no element of the complaint has been overlooked or inadequately addressed.

7. Complainants may be described as unreasonably persistent or vexatious where current or past contact with them shows that they meet one or more of the following criteria.

8. They:
   - persist in continuing to pursue a complaint that has been fully investigated in accordance with the appropriate procedure. If the complainant has not exhausted the procedure, they should be referred to the next stage
   - unreasonably change the substance of a complaint, or make further allegations with only very minor changes to the original complaint, which has been fully investigated. Take care to make sure that you do not overlook any new issues which are significantly different from the original complaint
   - are repeatedly unwilling to accept documentary evidence as being factual or deny having received an adequate response to their complaint, despite their concerns or questions having been previously addressed in correspondence
   - Repeatedly do not clearly identify the precise issues they wish to be investigated, despite support being provided to them to help them specify their concerns
   - Focus on trivial matters out of all proportion to their significance
   - Focus on issues of personal vindication or retribution, despite having been offered an open apology
   - electronically record conversations without the first-hand knowledge of **Artish Huddersfield CIC** representatives
   - Repeatedly, make false accusations against **Artish Huddersfield CIC** representatives
   - have made an excessive number of contacts with **Artish Huddersfield CIC** while pursuing a response to their complaint and placed unreasonable demands on them. Contact may be in person, by telephone, letter, email, or fax
   - make unreasonable demands on **Artish Huddersfield CIC**, for example, requiring responses more urgently than are normally provided or seen as reasonable within the recognised procedure

9. In assessing whether a complaint is unreasonably persistent or vexatious, the following factors should also be taken into account:
   - The history of the complainant and whether the complainant is known to **Artish Huddersfield CIC,** the pattern of behaviour around making the complaint
   - The weight of the complaint
   - The evidence offered in its support
   - Things said in connection with the complaint being made

10. Each case has to be considered on its own merit and in perspective to the severity of the complaint.

Dealing with unreasonably persistent or vexatious complainants

11. Where complaints have been identified as persistent or vexatious, they should be referred to the Board of Directors, who will determine what action to take

12. This type of complainant may often contact a number of different **Artish Huddersfield CIC** representatives in order to try and take advantage of differing responses.

13. In such circumstances, it is preferable to provide the complainant with one point of contact who should keep a record of all contacts made; normally, this will be **Artish Huddersfield CIC** director Diane Barker.

The Artish Huddersfield CIC Directors may decide to deal with unreasonably persistent or vexatious complainants in one or more of the following ways:

- An early use of mediation
- In a letter, set out a code of behaviour and responsibilities for the parties involved if **Artish Huddersfield CIC** is to continue investigating the complaint
- If these terms and conditions are contravened, then **Artish Huddersfield CIC Board of** Directors may consider implementing other action as listed below
- Decline contact with the complainant either in person, by telephone, by letter, or by email, provided that one form of contact remains open via a nominated contact. This will be for a fixed period not exceeding 12 months, but will in most circumstances be 6 months
- Advise the complainant that they have exhausted the complaints procedure and confirm there is nothing to add to the points already raised. Explain that further contact with **Artish Huddersfield CIC** on this specific issue will be noted only.
- In extreme circumstances, **Artish Huddersfield CIC** may reserve the right to suspend all contact with the complainant while it seeks legal advice or other guidance from other relevant agencies
- **Artish Huddersfield CIC** Directors Diane Barker and Karen Marsden must inform all **Artish Huddersfield CIC Directors** each time they have classified an individual as unreasonably persistent or vexatious

Telling a complainant they have been classed as unreasonable or vexatious

14. As **Artish Huddersfield CIC** is considering restricting access to an individual to **Artish Huddersfield CIC** activities by classing them as a vexatious or unreasonable complainant, the customer must be written to by the Board of Directors in order to confirm **Artish Huddersfield CIC's** decision. The letter should clearly set out:
    - The impact that their action is having on **Artish Huddersfield CIC**
    - Reasons for the decision
    - Restrictions imposed on the individual's access
    - Time limit for the restriction
    - remaining points of contact

Reviewing unreasonably persistent or vexatious complainants

15. The complainant must always be told in writing that they are being treated as a persistent or vexatious complainant for a specified period. (For information: The Local Government Ombudsman recommends that this period should be six months.)

16. A record of all subsequent contacts must be kept, and the decision must be reviewed at the end of each specified period by the **Artish Huddersfield CIC** Board.

17. If the complainant is to be treated as a persistent or vexatious complainant for a further period, they must be told in writing and given reasons for the decision.

25. A central database of complainants treated as unreasonably persistent or vexatious will be held by **Artish Huddersfield CIC Director Diane Barker,** who will send the **Artish Huddersfield CIC** Board of Directors reminders as each review date becomes due.

26. If, during the review period, the individual makes a new complaint or contact with **Artish Huddersfield CIC,** it must be addressed and treated on its merits. In such cases, the Board of

Directors should use discretion, but it would be reasonable to limit the point of contact to Diane Barker and specify the method of communication that the complainant should use.

Appeals process for being classified as an unreasonably persistent or vexatious complainant

27. A complainant may wish to appeal against being considered a vexatious complainant. This should not be considered as further evidence of the complainant's unreasonableness, and the further complaint should be considered by **Artish Huddersfield CIC** Board of Directors, which has not previously been involved in the case and has had no contact with the complainant in the past.

28. The complainant should be contacted and given the outcome of the appeal.

Signed:  Dated: 09/07/2025

Name (please print): D P Barker Position in organisation: Director

Reviewed and/or updated:

- July 2026 - 

Review Date:

- July 2026 - 
- July 2027 -
- July 2028 -