**ENGLISH-SPEAKING UNION SCOTLAND**

**COMPLAINTS POLICY**

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In this policy, a complaint is defined as any expression of dissatisfaction about the work of ESU Scotland. This complaints policy applies to ESU Scotland members and members of the public who come into contact with ESU Scotland. If any of these constituencies have a complaint, they can expect it to be treated by ESU Scotland in accordance with this procedure. If the complaint relates to a safeguarding issue, this policy must be read in conjunction with the ESU Scotland Child Protection Policy.

**Stage 1 – Informal Resolution**

* It is hoped that most complaints and concerns will be resolved quickly and informally, and the person raising the complaint is encouraged to direct it to a member of the ESU staff, who will attempt to resolve the issue, passing it on to his/her line manager if necessary.

**Stage 2 – Formal resolution**

* If the complaint cannot be resolved on an informal basis, then the person raising the complaint should put his/her complaint in writing to the Chairman of ESU. The Chairman, or in the absence of the Chairman, the Vice-Chairman, will decide, after considering the complaint, the appropriate course of action to take.
* In most cases, the Chairman will delegate a Trustee to meet or speak with the person raising the complaint concerned, normally within 7 days of receiving the complaint, to discuss the matter. If possible, a resolution will be reached at this stage.
* It may be necessary for the delegated Trustee to carry out further investigations.
* The delegated Trustee will keep records of all meetings and interviews held in relation to the complaint.
* Once the delegated Trustee is satisfied that, so far as is practicable, all of the relevant facts have been established, a decision will be made and person raising the complaint will be informed in writing of the outcomes of the investigation, the decision taken and the reasons for the decision. This will normally be within 28 days of the formal complaint being received.
* If person raising the complaint is still not satisfied with the decision made, he/she may appeal the decision to the Chairman and move to Stage 3.

**Stage 3 – Appeals Process - Panel Hearing**

* If the person raising the complaint seeks to invoke Stage 3 (following a failure to reach an earlier resolution), the Chairman will convene a Complaints Panel and the matter will then be referred to the Complaints Panel for consideration. The Panel will consist of at least three persons not directly involved in the matters detailed in the complaints, one of whom should be independent of the management and running of the ESU Scotland. Each of the Panel members should be appointed by the Chairman. The Chairman, on behalf of the Panel, will then acknowledge the complaint and schedule a hearing to take place as soon as practicable and normally within 21 days.
* If the Panel deems it necessary, it may require that further particulars of the complaint or any related matter be supplied in advance of the hearing. Copies of such particulars will be supplied to all parties not later than five days prior to the hearing.
* The person raising the complaint may be accompanied to the hearing by one other person. This may be a relative or friend. Legal representation will not normally be appropriate.
* If possible, the Panel will resolve the complaint made by the person raising the complaint immediately without the need for further investigation.
* Where further investigation is required, the Panel will decide how it should be carried out. After due consideration of all facts they consider relevant, the Panel will reach a decision and may make recommendations, which it shall complete within five days of the Hearing. The Panel will write to the person raising the complaint within 7 days informing them of its decision and reasons for it. (The decision of the Panel will be final). The Panel’s findings, and recommendations if any, will be sent in writing to the person raising the complaint, the Chairman or delegated Trustee, and, where relevant, any other persons involved in the complaint. A copy will be held by the Chairman.

**Records**

The person raising the complaint can be assured that all concerns and complaints will be treated seriously and confidentially. Correspondence, statements, and records relating to individual complaints will be kept confidential except when a legal obligation prevails.

A record of all complaints is kept for three years. The record will indicate at what point the complaint was resolved.

**This policy was last updated in May 2017**