

THE M.E. ASSOCIATION **GRIEVANCE PROCEDURE**

Date: 14/06/2019

CONTENTS

Part 1. INTRODUCTION

1. General principles
2. Who may complain?
3. Time limit on complaints
4. Who deals with complaints?
5. Member, staff or trustee confidentiality
6. Data Protection Act 2018
7. Complaints about purchasing
8. Legal action
9. Disciplinary procedures
10. Dissatisfaction about grievance procedures
11. Persistent or vexatious complaints
12. Publicity

Part 2. GRIEVANCE PROCEDURE

1. General
2. Informal verbal complaints
3. Formal written complaints
4. Completion of resolution

Part 3. (Appendix)

Further details about making a complaint

Part 1. INTRODUCTION

The trustees & staff of the M.E. Association (MEA) will do whatever they can to make sure you get quick, fair and proper treatment in all your dealings with us. However, sometimes things can go wrong and you might not be happy as a result.

If you are not happy with the MEA, you can make a complaint or a suggestion to improve our service.

This policy sets out a framework for the management of complaints within the MEA.

1. General Principles

- The grievance procedure will be accessible to members, their relatives and carers and, except as stated below, trustees and staff
- The MEA will respond in a quick, sensitive open & transparent way to the complaints it receives
- The grievance procedure will be supportive for those who may find it difficult to complain
- The grievance procedure will be fair to everyone
- The lessons learned in grievance resolution will be used to improve services

2. Who may complain?

- 2.1 Complaints may be made by anyone, except present or past trustees whose grievance relates in any way to their role as a trustee and except staff in their role as employees of The MEA. Complaints may be made on a complainant's behalf with the complainant's written consent

3. Time limit on initiating complaints

- 3.1 A complaint should generally be made within six months from the incident that gave rise to it, or within six months of the date of discovering the problem, provided that it is within twelve months of the incident. The time limit should be used sensitively and with flexibility according to the seriousness of the incident, the practicality of carrying out an investigation and the circumstances of the complainant.

4. Who deals with complaints?

- 4.1 The complaint shall be dealt with by such of the trustees or a member of staff (whether paid or unpaid) as shall be appointed by the Chairman of the Board of Trustees ("The Chairman"). Unless the complaint is about the Chairman he/she can investigate the complaint.

5. Member, staff or trustee confidentially.

- 5.1 The consent of members, staff or trustees is not required to use information pertaining to a complaint.

6. Data Protection Act 2018

- 6.1 Complaints about non-disclosure of information will be dealt with separately from this policy. Such requests should be considered under the Data Protection Act 2018.

- 6.2 If a grievance is partly about information that has been refused and, provided the Chairman and Board of Trustees or designated complaints person/s have already been given the opportunity first to review the circumstances, complainants should be informed of their right to pursue this aspect separately with the Data Protection Act 2018 where that Act applies, without waiting for the outcome of the MEA investigation into the rest of the complaint.

7. Complaints about purchasing

- 7.1 This policy does not apply to complaints made about any item purchased through the MEA.

8. Legal action

- 8.1 The grievance procedure will cease if the complainant explicitly indicates an intention to take legal action in respect of the complaint. The complainant and the complained against should be informed in writing that the grievance procedure has ceased.

9. Disciplinary procedure

- 9.1 The MEA will keep its grievance procedure separate from its disciplinary procedure.

- 9.2 The purpose of the grievance procedure is not to apportion blame but to investigate complaints, to satisfy complainants as far as possible and to learn any lessons for improvement in service delivery. Consideration as to whether disciplinary action is warranted will be subject to a separate process of investigation.

- 9.3 Papers that have accumulated during the investigation of a complaint may be passed to the appropriate person who will be considering the need for disciplinary or any other form of investigation.

10 Dissatisfaction about grievance procedures

- 10.1 Complainants may complain to the Chairman about the way complaints have been dealt with under the grievance procedure.

- 10.2 If they have exhausted the grievance procedure and are still dissatisfied, complainants may complain to the Charity Commission. This is an independent organisation set up to encourage good governance of charities. They will tell a complainant what to do.

11. Persistent or vexatious complaints

- 11.1 Although they represent a small part of the complaints, sometimes the MEA receives persistent and/or vexatious complainants, presenting a particular problem in the resolution of complaints. The difficulty in handling such complainants places a significant strain on time and resources and can be demoralising for staff and trustees. The MEA staff and trustees are happy to respond sensitively to the needs of all complainants, but there are times when there is nothing further that can be done to assist them or to rectify a real or perceived problem.
- 11.2 The MEA has a clear policy and procedure for managing persistent and/or vexatious complainants. This procedure is designed to protect and support staff and/or trustees who are the subject of habitual and/or vexatious complaints and to maintain the integrity of the complaints procedure.
- 11.3 The procedure will be used as a last resort and after all reasonable measures have been taken to try to resolve complaints following the MEA grievance procedure.

12. Publicity

- 12.1 The MEA will ensure that members, staff and trustees are aware of its Grievance Policy and Procedures.

PART 2. GRIEVANCE PROCEDURE

1. General

- 1.1 At every stage of the grievance process it is essential that the MEA is clear what the concerns of the complainant are. If the substance of the complaint is unclear, clarification will be sought from the complainant.
- 1.2 Further details of how to make a complaint are set out in appendix 1

2. Informal verbal complaints

- 2.1 The best way to deal with most complaints initially is to speak directly and informally to a member of staff or a trustee. They may be able to sort out your concern on an informal basis.
- 2.2 If a complainant has made an informal verbal complaint and is dissatisfied with the response, he/she will be asked to make a formal written complaint.

3. Formal written complaints

- 3.1 If a formal written complaint is made, the complainant must sign the complaint which should be passed on to the Board of Trustees for investigation.
- 3.2 All formal written complaints will be referred to the Chairman, who will acknowledge the complaint in writing as soon as circumstances allow.
- 3.3 On receipt of a written complaint the Chairman and/or designated complaints person/s will investigate the grievance as soon as possible. Investigation may be delegated to a small sub-group, depending on the seriousness of the complaint. If appropriate, a meeting will be offered to the complainant.
- 3.4 If an investigation has not been completed within two months, a letter will be sent to the complainant to explain the reason why.

4. Completion of resolution

- 4.1 The resolution process will normally be completed when a final response letter is sent to the complainant by the Chairman.

PART 3 - appendix

Further details about making a complaint

Please contact and express your grievance to:

**The M.E. Association
7, Apollo Office Court, Radlive Road, Gawcott. MK184DF**

Before you make a complaint, it is important to think about what you want to happen as a result of your complaint, and to make this clear at the beginning. You may want:

- an apology;
- someone to explain what has happened;
- some changes or improvements to be made;
- to make sure people recognise their mistakes;
- to make sure the same thing does not happen again.

It is important that the issues are set out clearly. If necessary, the designated complaints person will help you with this.

Will I be asked to give personal information when I make a complaint?

When you are making a complaint you will be asked to provide information about yourself or, if you are not the complainant, about the complainant themselves. This information could include details of your involvement.

This is to make sure that the MEA monitors the concerns and complaints of all complainants equally. We use this information in planning to meet the needs of our members and contacts.

Where can I get more advice and help?

The Charity Commission can advise on making a complaint or expressing a concern about a registered Charity. Its address -102, Petty France, Westminster, London. SW1H9AJ