

**Register No: IP030872**



**PST COMPLAINTS POLICY AND PROCEDURE  
OF  
PORTSMOUTH SUPPORTERS' SOCIETY  
LIMITED**

**Registered Under the Industrial  
And Provident Societies Acts 1965-78**

**(Including a subject access request proforma)**

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## **1. Introduction**

- 1.1 Pompey Supporters' Trust (PST) believes that effective investigation of complaints and learning from these are an important part of achieving high quality work.
- 1.2 This policy and procedure sets out the arrangements which PST has for the investigation and resolution of complaints.

## **2. Definition- What is a complaint?**

PST welcomes comments and suggestions about how it can improve its work. Indeed, PST regularly receives comments and suggestions about its work, including its policy position on various issues. These comments may sometimes be critical. When these are heard or received they should ordinarily be responded to in a polite and constructive manner. These would not ordinarily be considered as a complaint, unless the person making the comment or suggestion indicated they wish it to be treated as such. Where a suggestion is made, or where the comment may be especially critical this should always be discussed with the Society Secretary, in the latter case, to help to determine whether the critical comment is a complaint.

A complaint is an expression of dissatisfaction, either written or spoken. A complaint can be made by an individual or a group. People may wish to complain if they are not satisfied with the way they have been treated or with the service they have received from PST.

Examples of complaints could include dissatisfaction with any aspect of the work of PST, including a service, a fundraising activity or policy.

Most straightforward complaints will be able to be addressed immediately in conversation, by email, or by using social media at the time at which the complaint is made, wherever appropriate using the same medium of communication as used by the complainant.

It is important to bear in mind that the seriousness of a complaint will be specific to the individual, and all complaints therefore, are treated by PST as serious and requiring resolution. Hence, the large part of this policy & procedure describes the steps to be taken when a complaint cannot be addressed immediately and straightforwardly.

## **3. Principles of the PST Complaints Policy and Procedure**

### **3.1 The following principles are used:**

- The procedure is fair to complainants and to members of the Society;
- The procedure is accessible to all regardless of age, disability, gender, ethnicity, belief or sexual orientation;
- Making a complaint will not harm or prejudice the complainant;
- Concerns and complaints are dealt with efficiently and are properly investigated;
- Complainants are treated with respect and courtesy and receive appropriate support throughout the handling of the complaint;
- Complainants receive a timely and appropriate response, identifying the outcome of any investigation;
- Action is taken where necessary in the light of the outcome of the complaint;
- Learning from complaints will be used to improve the work of the PST;

And;

- If the complainant is dissatisfied with the result of the response to the complaint, she or he will have the right to appeal.

- 3.2 In responding to complaints, PST will:
- Provide a thorough explanation.
  - Accept shortcomings and apologise where appropriate.
  - Identify actions and reduce the risk or re-occurrence.

#### 4. Who can make a complaint?

- 4.1 This procedure is for members of the Society and members of the public who have received a service from PST.
- 4.2 This procedure does not cover complaints made about Society Board members or Officers who need to follow agreed grievance, disciplinary or reporting a matter of concern (Whistleblowing) policies.

#### 5. Complaints about PST (Three stage process)

If a complaint is about PST then there are three stages which can be used to try and resolve the problem. Complainants may wish to involve an advocate, friend or someone else to support you at any stage. If a complainant needs a sign language or community language interpreter, please let the person dealing with the complaint know and every reasonable effort will be made to provide it.

**The three stages are:**

##### 5.1 Stage One (Informal)

Most complaints are dealt with informally by the PST Secretary. This is the most appropriate route for most concerns and issues especially those that do not indicate serious misconduct and where the complainant agrees.

Complainants should be encouraged to speak openly about their concerns and be reassured that what they say will be treated with appropriate confidentiality.

The response should aim to satisfy the complainant that his/her concerns have been taken seriously and an apology and explanation offered as appropriate. The response should also refer to any remedial action that is to be taken.

To make an informal complaint a person should speak to or email the individual(s) concerned and try to resolve the complaint informally, or by contacting the PST Secretary at Pompey Supporters' Trust, Pompey Study Centre, Anson Road, Portsmouth, PO4 8TB. PST does not accept complaints via social media (Facebook or twitter) because adverse commentary can impact negatively on the reputation of all parties.

##### 5.2 Stage Two (Formally Registering a Complaint)

If a complainant is not satisfied with the response they have received at Stage One (informal), or would prefer their complaint to be formally investigated, they should then use Stage Two of this procedure. The following arrangements are in place for Stage Two complaints.

[A] Complainants can outline the details of their complaint in writing or electronically and send it to the PST Secretary at Pompey Supporters' Trust, Pompey Study Centre, Anson Road, Portsmouth, PO4 8TB or [complaints@pompeytrust.com](mailto:complaints@pompeytrust.com). If preferred, they can register a formal complaint by talking to the PST Secretary; and he or she they will take the details of the complaint, and arrange for it to be investigated. For verbal complaints, the person taking the complaint should, whenever possible, receive the details using the complaint proforma, attached at Appendix One. If a complaint is about the Chair of PST or Society Board member or Officer it should be addressed to the PST Secretary and marked private and confidential.

All complaints will be acknowledged by the PST Secretary in writing (by post or email) within three working days from the date it is received. The letter will contain the following information:

- Name, postal address, email address, telephone number of the person who will investigate the complaint.
- The date the investigation will start.
- An offer of support where appropriate.
- Where a complainant has given the details of the complaint verbally to the person identified at section 5.2 above, the letter will also include a summary of the complaint.

Consent to access information about a person for the purpose of investigating a complaint is implied when the complaint is raised. Confirmation of this should be included within the initial acknowledgement response letter. A draft proforma letter is attached at Appendix Two.

[B] The complainant will ordinarily receive a full response to the complaint within a maximum of 20 working days from the date of the acknowledgement letter in writing. The response will include the following information:

- Details of the investigation and what has been found.
- A decision about whether the complaint was upheld or not.
- Details of the changes PST will make to prevent a recurrence of the issue/s which led to the complaint.
- The reason for the decision.
- The redress, if appropriate, which will be offered (for example an apology).
- If it is not possible to provide a full answer to a complaint within 20 working days, the investigating officer will, in any event, write at 20 working days to provide a progress report explaining the reasons for delay and give a date of when it is expected the investigation will be completed.

### 5.3 Stage Three (Appeal)

[A] If a complainant is not satisfied with the response to their complaint, the final stage is to outline the reasons for dissatisfaction in writing or electronically to the PST Secretary.

[B] An Appeals Panel, normally of three Society Board members (PST Secretary in attendance) will be convened to consider your appeal. Chair will be responsible for ensuring the panel is appropriately representative. Panel membership will be restricted to people who have had no previous involvement in the complaint.

[C] Members of the Appeals Panel will:

- Read through the necessary papers.
- Speak with relevant individuals involved with the complaint.
- Make a final decision.

[D] The chair of the Appeals Panel will write within 30 working days of receiving the appeal, to confirm:

- The final decision about the complaint.
- The reason for the decision.
- The redress, if appropriate, which will be offered (apology etc).
- Details of the changes PST will make to prevent a recurrence of the issues which led to this complaint.
- Any action that may be taken in light of the complaint.

#### 5.4 Review of the Process

[A] Once a person has used stages one to three of the complaints procedure, and are not satisfied that PST has followed the process properly and dealt with the complaint fairly, then the complainant can outline the reasons for dissatisfaction about the process, in writing or electronically to the PST Secretary to request a review of the complaints handling process.

[B] The PST Chair will make arrangements for a review of the complaint-handling process, and will inform you about how the review will be carried out.

[C] The decision of the process review will be final and the PST will communicate the outcome in writing within 30 working days:

- Whether or not the procedure has been followed properly and fairly.
- The reason for the decision.
- The redress, if appropriate, which will be offered (apology).
- What action may be taken in light of the review.

#### 5.5 Financial Conduct Authority (Complaint about a Society)

If a complainant remains dissatisfied with the outcome of the review; and the complaint relates to a breach of mutuals legislation, you can pass your complaint on to the Financial Conduct Authority (FCA) at: [mutual.societies@fca.org.uk](mailto:mutual.societies@fca.org.uk)

### 6. Complaints Monitoring, Investigation and Learning

#### 6.1 Recording complaints

All Stage Two complaints about PST are recorded in a single complaints register as soon as they are received. The register is held by the PST Secretary and will include:

- Date received and unique reference number.
- Contact details of the person making the complaint.
- Details of the complaint.
- Investigating officer.
- Dates by which initial and final correspondence is due to be sent.
- Copies of all documentation, including complaint letter, investigation Report, correspondence with the person making the complaint.
- Details of the whether the complaint is upheld.

#### 6.2 Investigating Complaints

All investigations will seek to:

- Identify and understand the circumstances which led to the complaint being made.
- The steps which could be taken to prevent a reoccurrence of any such circumstances.
- Preserve the confidentiality of the complainant other than where strictly needed for the purposes of investigation.
- Present the outcome clearly and logically in writing, addressing each aspect of the complaint.
- To establish whether to uphold a complaint (in full or in part) or not.

All responses will be from the designated lead (PST Secretary), and reviewed with the PST Chair, ahead of being sent, to ensure consistency of response.

#### 6.3 Complaints Review and Reporting

All Stage Two complaints will be reviewed monthly by the PST Secretary in line with the PST Safeguarding policy. A summary of complaints, all anonymised, will be reviewed and published in a confidential Annual Report.

The purpose of this monitoring is to:

- Ensure PST standards for complaints management are met.
- Identify at an early stage key themes/trends.
- Review any learning and ensure practice is changed where necessary to reflect this.

#### 6.4 Incident Management and Investigation

Throughout the complaints process, the investigating officer will be responsible for identifying whether there is a need to register any aspect of the complaint as an incident. For example, where a complaint originated from a PST Policy not being followed. In such circumstances, it is recorded as an incident using the Incident Reporting proforma.

#### 6.5 Disciplinary Procedures

The purpose of the complaints procedure is to identify where things may have gone wrong, and not to apportion blame. However, some complaints may identify information about serious matters which indicate the need for a disciplinary investigation. In such cases, Disciplinary policy would apply to Society Board members, Officers and ordinary members of the Society only. However, relevant documentation gathered during the investigation of complaint may be passed to the PST Secretary to consider whether disciplinary action is required. A complaint may be investigated even if disciplinary action is being considered, but the two procedures are separate.

PST would not ordinarily disclose details of disciplinary action that has taken place as a result of the complaint to the complainant.

#### 6.6 Complaints from Members

Members who have complaints about other members should take forward their concerns using the PST Rules at:

<http://www.pompeytrust.com/userfiles/file/PST%20New%20Model%20Rules%20-%2027.06.16.pdf>

### 7. Responsibilities

#### 7.1 PST Secretary

- Responsible and Accountable for the PST complaints arrangements; and taking a view on the quality of those arrangements and the outcomes they produce.
- Lead for complaints and complaints management; and accountable to the Society Board.
- Provides assurance to the Society Board on compliance with Complaints standards.
- Ensures effective systems are in place for the management of complaints.
- Oversees the investigation of complaints and appointment of the Investigating officer, the completion of a response and subsequent action plan.
- Undertakes a regular review of all 'active' complaints.
- Ensures safeguarding referrals and incident reporting arrangements are in place where necessary.

#### 7.2 Chair of the Society Board (Managing any investigations within the Society Board)

- Acknowledge complaints made relating to Society Board members.
- Undertake (either directly or via delegation) the investigation of any complaints about Society Board members.
- Preparation of final responses (Assisted by the PST Secretary).

### 7.3 **Governance (PST Secretary)**

- Co-ordinates and oversees the management and investigation of complaints.
- Liaises with the Chair of the Society Board to ensure the timely progress of the complaint and provide support and advice where appropriate.
- Escalates problems in cases of delayed responses.
- Maintains contact by phone and letter with the complainant as appropriate, particularly in protracted investigations.
- Ensures a comprehensive response is drafted which adequately addresses all concerns highlighted.
- Maintains the complaints database, to include a record of all action plans and changes to practice resulting from complaints.
- Provides regular reports which will enable the Trust to monitor performance in relation to the handling of complaints; identify issues for organisational learning; and, through these, identify areas for review of policy or practice.
- Interprets whether a communication is a complaint or not; this will usually be undertaken in liaison with the Head of Communications.
- Informs the Chair of the Society Board if a complaint requires investigation.

### 7.4 **Head of Communications**

- Reviews and advises upon the drafting of any complaint replies where the complaint is particularly complex or sensitive.

### 7.5 **Safeguarding Officer**

- Reviews all complaints received and identifies trends.
- Establishes 'learning' actions for implementation.
- Co-ordinates the implementation of changes as a result of complaints.

### 7.6 **Dealing with media interest**

Any media interest in a complaint should be immediately referred to the Head of Communications.



**Appendices**

**Appendix One. Verbal Complaints Reporting Proforma**

|   |
|---|
| Name of complainant:  |
| Address of Complainant:   |
| Complainants email:   |
| Complainants telephone number   |
| Date complaint made   |
| Complaint concerns  |
| Description of complaint, itemising in individual complaints (where relevant) |

## Appendix Two. Complaints Proforma Letter

[Insert name]  
[Insert address]

[Insert date]

Dear ....

Your complaint

I have received your letter/email dated .... confirming that you wish to make a formal complaint under Stage 2 of our complaints process. I am sorry that it has not been possible to resolve your concerns informally.

My name is .... and I will be investigating your complaint. My contact details are [insert postal address, tel. number and email address]. From your letter/email/telephone conversation with..., I understand your complaint to be as follows:

- List in bullet point form the grounds of complaint

If my understanding of your complaint is incorrect, please contact me to let me know as soon as possible.

I appreciate that making a complaint can be difficult and stressful. Some advocacy services may be able to help you through the process, so it might be worth finding out whether there are any advocacy services in your area. Alternatively, your local Citizens Advice Bureau may be able to help you.

If you need extra support throughout the complaints process, please contact me to let me know. We can, for example:

- arrange for letters to be produced in large print, easy read, audio or braille
- arrange for letters to be translated into another language, or
- communicate with you in another way if you find writing and/or receiving letters difficult.

I expect to start my formal investigation of your complaint on [insert date] and I will write to you within 20 working days of this date to confirm the outcome of my investigation - i.e. by [insert date].

Please contact me if anything in this letter is unclear.

Yours sincerely  
[Insert name]  
[Insert job title]

### Appendix 3. Subject Access Request

[Your full address]  
[Phone number]  
[The date]

Portsmouth Supporters' Society Limited (IP030872)

Dear Sir or Madam

#### **Subject access request**

[Your full name and address and any other details to help identify you and the information you want.]

Please supply the information about me, I am entitled to under the Data Protection Act 1998 relating to: [give specific details of the information you want, for example]

- your membership or personnel file;
- emails between 'A' and 'B' (between 00/00/00 and 00/00/00);
- your medical records (between 2006 & 2009) held by Dr 'C' at 'D' hospital;
- CCTV camera situated at ('E' location) on 23/5/12 between 11am and 5pm;
- copies of statements (between 2006 & 2009) held in account number xxxxx).

If you need any more information from me, or a fee, please let me know as soon as possible.

It may be helpful for you to know that a request for information under the Data Protection Act 1998 should be responded to within 40 days.

If you do not normally deal with these requests, please pass this letter to your Data Protection Officer. If you need advice on dealing with this request, the Information Commissioner's Office can assist you and can be contacted on 0303 123 1113 or at [ico.org.uk](http://ico.org.uk)

Yours faithfully  
[Signature]