

Complaints Procedure

1. Any complaint by service users should be made in the first instance to Lesley Henderson, CEO. If it is felt that it needs to be escalated further, then concerns should be directed to Co-Chairs, James Turner and Rachel Hodgson trustees@ttht.co.uk
2. Where the allegations of a concern internally are about another member of staff or employee's line manager, the complainant should address their concerns formally (both verbal and written) to Lesley Henderson, CEO (email – Lesley.henderson@ttht.co.uk). Where the allegations of a concern are about Senior Management or the CEO, then the complaint should be made in writing to the Co-Chairs of the Board of Trustees, James Turner and Rachel Hodgson trustees@ttht.co.uk
3. All complaints will be viewed seriously, treated confidentially, investigated thoroughly and fully documented.
4. Care will be taken during an investigation to treat all individuals involved with consideration.
5. Once the investigation is completed, the manager / trustee who has conducted it will decide, on the strength of the findings, the appropriate action to be taken. This may include disciplinary action.
6. The complaints procedure can be informal or formal. Senior Management and/or the Board will decide which procedure to use.

Informal Procedure

1. Complainants who are employees should keep a written record of any incidents, including the date, time, nature of incident, the names of those involved and the names of any witnesses.
2. Croner (HR consultancy) will give confidential support and advice.
3. If possible, the person involved should be told by the complainant that the incident / behaviour is unacceptable and must stop. A colleague must act as a witness when this statement is made. Alternatively, an appropriate line manager can, with the employee or client's agreement, speak to the alleged perpetrator.

4. Whenever possible, any complaint should be made in the first instance to the immediate line manager.

Formal Procedure

Where informal methods fail, or the complainant chooses not to use them or considers that the problem is sufficiently serious, a formal complaint can be made. The complaint must be made in writing, describing the incident(s) as fully as possible. This complaint should be given to Lesley Henderson, CEO or the Joint Chairs, where appropriate.

A manager will be appointed to investigate the complaint and will interview the person (s) against whom the allegations are made, the complainant and any relevant witnesses. These interviews will be conducted in confidence. All employees who are party to these proceedings can choose to be accompanied by a work colleague. There will also be an independent note taker in attendance.

The investigation should be concluded within four weeks of the complaint being received. If this time limit is exceeded, the complainant should be advised of this and given a date when the investigation will be concluded and the reasons for the delay.

The Toby Henderson Trust must keep a detailed written record of the investigation, its findings and recommendations. The complainant and the person(s) against whom the allegation has been made must be informed in writing of the findings by the investigating manager.

Once the investigation is complete, the appropriate line manager will review the report's recommendations and, where appropriate, carry these out.

If the complainant is not satisfied with the outcome and/or any actions taken, or with the way in which the complaint was handled, he or she may appeal, in writing, to the next level of management, stating the grounds for the appeal.

An appeal meeting will be arranged as soon as is reasonably practicable and usually within ten working days of receiving the appeal. A more senior manager will conduct the appeal and will carry out such further investigation as is deemed appropriate. The employee who has appealed can choose to be accompanied by a work colleague or trade union representative at the appeal meeting.

A written record must be kept of the appeal meeting and any prior investigation. All records must be held in line with the Data Protection Act 2018.

The complainant and any other person affected by the complaint must be informed of the findings in writing by the manager who conducted the appeal. The appeal decision will be final.

The logo features a stylized red swirl above the letter 'o' in 'Toby', which contains a small red smiley face.

The Toby Henderson Trust

If disciplinary action against the perpetrator is justified, a disciplinary hearing will be arranged within fifteen working days of the decision of the investigating manager.

The employee against whom the allegation has been made will have the right to be accompanied at this hearing by a work colleague and will have the opportunity to challenge the evidence and to state his or her case. The hearing will be conducted in accordance with The Toby Henderson Trust's disciplinary procedure.

Any disciplinary action taken will reflect the severity of the offence and may include the transfer or suspension of the employee, on a temporary or permanent basis, or a written warning or dismissal.

The employee may appeal against the penalty in accordance with The Toby Henderson Trust's disciplinary appeals procedure.

Mediation (Optional)

At any stage in the informal and formal procedure, independent and impartial mediation conducted by a qualified mediator can, at management discretion, be made available to assist in the resolution of the dispute between the complainant and the perpetrator.

If either party wishes to request third-party mediation, he or she may do so by speaking to Lesley Henderson, CEO. However, mediation can only be considered where both parties agree to it.