



Registered SCIO No.SC043913

Adopted: 21st June 2024

COMPLAINTS PROCEDURE

A. INTRODUCTION

This schedule offers guidance on how complaints about 4 Winds SCIO and disputes between members of the charity will be dealt with.

For the avoidance of doubt, this complaints procedure applies to trustees, members, office bearers, funding applicants, staff members (if the charity employs staff), or any other person in their business or carrying out their duties on behalf of 4 Winds SCIO.

It does not apply to:-

- complaints being dealt with by insurers
- complaints that are the subject of legal proceedings or statutory procedures

B. WHAT IS A COMPLAINT

A complaint is an expression of dissatisfaction about the charity or people associated with the charity, which requires action to remedy, for example:-

- Failure to adhere to the constitution, policies or procedures adopted by the organisation
- Behaviour of, or conduct of, individuals which may bring the charity into disrepute or contrary to the Code of Conduct
- The absence of proper policies or procedures
- Alleged discrimination, for example on the grounds of race, gender, disability, age, sexual orientation or religion

Complaints will not be considered for any members or trustees who are no longer part of the organisation, except where these are of a serious criminal or financial impropriety.

Anyone who expresses dissatisfaction about the charity should be made aware of the complaints procedure and given this option to express their opinion.

All complaints should be received in writing and responded to in writing (e-mail or letter is satisfactory), however at all stages communication with the complainant should also be by their preferred method – e-mail, letter or telephone.

All timescales are in calendar days, however it may be that complaints may take a longer period to resolve and timescales may be extended subject to the complainant being advised.

The charity will, at all times, uphold the right of any individual about whom a complaint is made, to read in full the complaint and all evidence about the matter, and have the opportunity to present their evidence and/or statement into the record.



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C. STAGE 1 - LOCAL RESOLUTION

A complaint expressing dissatisfaction about the charity or an individual should be made to the Chairperson by email to complaints@4winds.scot which should be signed by the complainant. An electronic signature is acceptable but cannot be signed or delivered by a proxy.

Any complaint received shall be acknowledged by email within 7 days.

Complaints should normally be submitted in writing but may be made by speaking to the Chairperson or other office bearer who will record the complaint in writing and agree the content with the complainant who will require to countersign the complaint.

The aim of a Stage 1 complaint is that the office bearers of the charity (usually the Chairperson, Vice-Chair, Secretary & Treasurer) will try to resolve any complaint quickly and informally where possible.

For any Stage 1 complaint they will:-

- Provide a copy of this complaint procedure so the complainant is aware of the procedures and timescales involved.
- Convene a discussion of the office bearers to review the complaint, establish the facts and agree next steps within 30 days of receipt.
- Consider what evidence has been supplied, the nature of the complaint and aim to resolve this through informal means. This could include meeting with the complainant, asking for further information or evidence, or dismissing the complaint.
- Give full consideration to any request to present evidence from the complainant in person, but a written copy of their statement or evidence must also be provided in advance.

Where they deem the complaint is not upheld, they shall:-

- Advise the complainant by email within 7 days of their decision with their reasons, advising them of their rights under this procedure.

In all outcomes, the office bearers shall provide a written summary of the Stage 1 complaint to the board, for their information, at their next available meeting.

D. STAGE 2 – REVIEW BY FULL TRUSTEE BOARD

If a complainant is not satisfied with the outcome of the Stage 1 process, it can be referred to a meeting of the full board of trustees for review. This must be a quorate meeting as per the constitution of the charity.

If a complainant wishes to proceed to a Stage 2 Review, a request for review must be made within 21 days of receiving the response to the original Stage 1 complaint. The request for a Review will be received by the Chairperson by email at complaints@4winds.scot or in writing.

The complainant can expect:-

- The request for a Review will be acknowledged in writing within 7 days.
- An office bearer will compile all relevant papers, evidence and information for the board to carry out a review of the complaint and Stage 1 response within 90 days of receiving the Stage 2 Review request. During this time further evidence gathering may take place to fully inform the Review.
- The board of trustees shall consider the complaint and evidence in a private meeting without any other members or individuals present. Where any vote is held on the nature of a complaint outcome, a simple majority will suffice, with the Chairperson having the casting vote in the result of a tie, as per the constitution.
- The secretary will inform the complainant about the outcome of their Stage 2 Review in writing within 7 days from the date the complaint was considered by the board.
- In the event the timescales cannot be met, the board will write to update the complainant regularly until the outcome of the complaint is available.

E. STAGE 3 – APPEAL TO PANEL

If the complaint remains unresolved, the matter may be referred by the complainant, by the board of trustees, or the individual, to a three-person external panel comprising individuals taken from any of the 4 member community councils (Auchtertool, Cowdenbeath, Lochgelly or Lumphinnans).

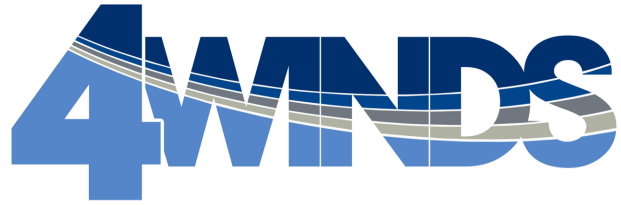
Such an appeal must be made within 28 days of being advised of the outcome of Stage 2. The secretary will make the appropriate arrangements for the panel to meet within 28 days of this Stage 3 referral being received. The selection of the individuals for the panel must be accepted by the complainant AND the board/individual.

The outcome of the appeal will be shared to all parties within 14 days from the date of the appeal being heard and will be final.

F. REMEDY & REDRESS

When at any stage a complaint is found to be upheld, the response will seek to provide an appropriate resolution. This might include:-

- an explanation and an apology
- a proposal to seek an appropriate resolution
- advice on any changes to be made as a result of the complaint to avoid problems recurring in the future



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G. COMPLAINTS RELATING TO FINANCE OR CRIMINAL ACTIVITY

Any complaints received alleging financial impropriety or criminal activity should be given careful consideration as to how to proceed and, if appropriate, the Police and the regulator, OSCR, informed.

H. CONFLICTS OF INTEREST

Where any individual is the focus of a complaint and they would also usually be involved as an office bearer in this process, with the exception of Stage 1 informal resolution, they will excuse themselves from any communication with the complainant or gathering of the complainant's evidence or statement. Their right to present evidence or facts about the complaint are unaffected. If they are a trustee, their right to attend and vote at any Stage 2 Review is unaffected.

Adopted by 4 Winds SCIO on 21st June 2024.

Proposed by: Joolz Martin

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