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Complaints Policy & Procedure

Policy

Defiant Sports aims to provide high-quality services that meet your needs. We believe we achieve this most of the time: if we are getting it right please let us know.

In order to ensure our services remain at a high and improving standard, we have a procedure through which you can let us know if for any reason you are not satisfied with your dealings with the organisation. If you are not happy with Defiant Sports please tell us.

Your complaints are always welcome, so please do not be afraid to tell us when things do not go well. Comments and complaints can only help us to improve our services.

What is a complaint?

Defiant Sports regards a complaint as:

“Any written or spoken expression of dissatisfaction about Defiant Sports and its services, whether made formally or informally, after a clear explanation of the point at issue has been given.”

How do you go about complaining about us?

You can make a complaint to any member of our staff. You can make a complaint:

- in person
- by phone
- in writing (letter or email)

A complainant can choose to deal with the matter by correspondence or at meetings. A friend or advisor can accompany the complainant at any meetings.

We will:

- treat the complaint seriously and in confidence, however it is made;
- deal with it quickly, politely and, where appropriate, informally (for example by phone);
- apologise when we have got things wrong;
- explain our position or any action we take;
- avoid jargon and get our facts right;
- give explanations which are clear and easy to understand;
- give you a contact phone number for enquiries; and
- tell you how to take your complaint further.



After the matter has been settled, we may ask you how we can avoid similar problems in the future.

If you are unhappy with an individual in Defiant Sports sometimes it is best to tell them directly. If you feel this is difficult or inappropriate, then speak to the staff member's manager or the Managing Director.

Often, we will be able to give you a response straight away. When the matter is more complicated we will give you at least an initial response within five working days.

All complaints will be logged. You will receive a written acknowledgement within ten working days reiterating the stages, procedure and timeframes. If this is not possible, an interim response will be made informing you of the action taken to date or being considered.

We will then keep you informed about progress every 15 working days until the complaint has been resolved.

We will send a final response within 8 weeks of the initial complaint.

If after we have responded you are not satisfied, please write to or notify the Managing Director (If your complaint is about the Managing Director, please write to the Board of Directors). If the complaint cannot be resolved, the Managing Director / Board will report the matter to the next Defiant Sports Directors meeting, which will decide on any further steps.

All complaints will be treated confidentially. The complaints log is monitored regularly and reviewed annually.

Responses to Complaints

Formal complaints will usually be responded to in writing. However, we can do this over the phone or face to face if the complainant prefers. The response will be fact-based and will include the following:

- A summary and background of the complaint
- The particulars of the investigation
- The findings of the investigation
- The decision(s) reached about each element and the reasons for them
- Action that has been (or will be) taken as a result of the complaint

Redress

These processes allow for getting things put right, remedying grievances and, where compensation is appropriate, the means through which this can be delivered. If we react quickly to early warnings of service failure at the Frontline Stage of the Complaints Handling Procedure, we can minimise the time and cost of resolving these difficulties, ideally with many straightforward complaints being put right without delay by a simple apology.

After an investigation, recommendations may be made to provide redress to the person who has complained, for example, providing an explanation, an apology or re-imbursement of



costs incurred. Any lessons learnt will be taken forward to improve our policies and working practices.

Defining habitual or vexatious complaints

Complainants may be deemed to be habitual or vexatious when previous or current contact with them shows that they two or more of the following criteria, where complainants:

1. Persist in pursuing a complaint where Defiant Sports Complaints Procedure has been implemented and exhausted.
2. Persistently change the substance of a complaint, continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. (Care must be taken, however, not to disregard new issues which are significantly different from the original complaint as they need to be addressed as separate complaints).
3. Are repeatedly unwilling to accept documented evidence given as being factual or deny receipt of an adequate response in spite of correspondence specifically answering their questions or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
4. Repeatedly not clearly identifying the precise issues which they wish to be investigated, despite reasonable efforts to help them specify their concerns, and/or where the concerns identified are not within the remit of Defiant Sports to investigate.
5. Regularly focus on a trivial matter to an extent which is out of proportion to its significance and continue to focus on this point. It is recognized that determining what is a trivial matter can be subjective and careful judgement will be used in applying this criteria.
6. Have threatened or used physical violence towards staff at any time – this will, in itself, cause personal contact with the complainant and / or their representatives to be discontinued and the complaint will, thereafter, only be continued through written communication. All such incidences will be documented.
7. Have, in the course of addressing a registered complaint, had an excessive number of contacts with Defiant Sports – placing unreasonable demands on staff. For the purposes of determining an excessive number, a contact may be in person, by telephone, letter or email. Discretion will be used in determining the precise number of excessive contacts applicable under this section, using judgement based on the specific circumstances of each individual case.
8. Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with the complaint. Staff recognize, however, that complainants may sometimes act out of character in times of stress, anxiety or distress and will make reasonable allowances for this. They will document all instances of harassment, abusive or verbally aggressive behaviour.
9. Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.



10. Make unreasonable demands on relationships and fail to accept that these may be unreasonable, for example, insist on responses to complaints or enquiries being provided more urgently than is reasonable or within Defiant Sports' Complaints Procedure or normal recognized practice.

Handling habitual or vexatious complaints

Where complainants have been identified as habitual or vexatious, the Defiant Sports Managing Director will determine what action to take, in consultation with the Defiant Sports Board of Directors as necessary. The complaint may be dealt with in one or more of the following ways:

- a. In letter, setting out the commitment and responsibilities for all parties involved if Defiant Sports is to continue processing the complaint. If these terms are then breached, alternative action may follow.
- b. Decline contact with the complainant, either verbally or in writing, providing the same method of communication and contact person is maintained.
- c. Notify the complainant in writing that Defiant Sports has responded fully to the points raised and has tried to resolve the complaint but that there is nothing more to add and continuing contact on the matter will serve no useful purpose. The complainant will also be notified that the correspondence is at an end, advising the complainant that they are being treated as a persistent or vexatious complainant and as such Defiant Sports does not intend to engage in further correspondence dealing with the complaint.
- d. Inform the complainant that in extreme circumstances Defiant Sports reserves the right to seek legal advice on unreasonable or vexatious complaints.
- e. Temporarily suspend all contact with the complainant, in connection with the issues relating to the complaint being considered habitual and/or vexatious, while seeking legal advice.

Having decided what action to take, this will be communicated to the complainant with an explanation of why their complaint has been classified as habitual or vexatious, and copied to relevant parties (e.g. Defiant Sports Board of Directors, staff, volunteers etc.).

A record will be kept for future reference of the reasons why a complaint has been classified as habitual or vexatious. Statistical information on all Defiant Sports complaints received will be presented regularly to the Board of Directors with details of complainants who are categorized as habitual and /or vexatious.

Withdrawing habitual or vexatious complaints status

Once a complainant has been determined to be habitual and/or vexatious, their status will be kept under review and monitored by the Managing Director and Board of Directors. If a complainant subsequently demonstrates a more reasonable approach for an appropriate

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period of time or if they submit a further complaint for which the normal Complaints Procedure would appear appropriate their status will be reviewed.