

INTERNAL COMPLAINTS PROCEDURE INCLUDING VEXATIOUS COMPLAINTS

TENNIS WALES LTD

1. Definition

This document describes the procedure that will be adopted in respect of complaints defined as:

any expression of dissatisfaction about an action (or inaction) or decision whether committed by Tennis Wales Ltd (TWL) as a corporate body, or by one of its staff, or by an individual acting in a voluntary or paid capacity on behalf of the company

a complaint may be made verbally (in which case the complainant will be asked to follow it up in writing), or in writing, either by conventional mail or e-mail.

2. Who will deal with complaints

The table shows who would normally deal with complaints:

Person/body against whom complaint is made	First response	Second response
Tennis Wales Ltd as a corporate body, or one of its individual Directors	Chair, TWL	Governance Committee
Chief Executive Officer (CEO), TWL	Chair, TWL	Chair / Staffing Committee
Member of employed staff, TWL	Line manager	CEO, unless the CEO is the line manager, in which case the matter will be referred to the Chair / Staffing Committee
Person working on behalf of TWL in self-employed capacity, or as a volunteer eg coach, tournament official	The member of staff responsible for the relevant area of work	CEO, unless the CEO is the line manager, in which case the matter will be referred to the Chair / Staffing Committee

3. Process

The person receiving the complaint in the first instance will immediately acknowledge it in writing and inform the complainant of the procedure that will be followed in dealing with the matter and the likely timescale.

The person receiving the complaint will either deal with it themselves or pass it to the appropriate person to deal with, as shown above.

The person dealing with the complaint will:

- Determine the facts of the matter, by speaking to others involved within TWL, as required, and examining any written material as appropriate
- Keep the complainant informed of progress
- Write to the complainant answering their concerns and giving explanation where appropriate

If the complainant is not satisfied with the initial response the person who has dealt with it initially will endeavour to resolve any further issues raised and will respond again in writing.

In the event that the complainant is still not satisfied the complaint will be referred to the second respondent where appropriate, as indicated above.

TWL will not enter into lengthy and protracted correspondence with the complainant once the original complaint and any subsequent substantive issues have been answered. If a complainant behaves in a way which is regarded as unreasonably persistent or vexatious, the process outlined below will be followed.

Unreasonably Persistent or Vexatious Complaints

TWL does not expect employees or key volunteers to tolerate unacceptable behaviour by complainants at any time during the general complaints procedure. Unacceptable behaviour includes behaviour which is abusive, offensive or threatening and may include using abusive or inappropriate language on the telephone or face to face, sending multiple emails or leaving multiple voicemails

Raising legitimate queries or criticisms of a complaints procedure as it progresses, e.g. if agreed timescales are not met, should not in itself lead to someone being regarded as a vexatious or an unreasonably persistent complainant.

Similarly, the fact that a complainant is unhappy with the outcome of a complaint and seeks to challenge it should not necessarily cause him or her to be labelled vexatious or unreasonably persistent.

TWL will take action to protect employees and key volunteers from inappropriate behaviour. If a complainant behaves in a way that is unreasonably persistent or vexatious, this procedure will be followed.

TWL defines unreasonably persistent and vexatious complainants as those complainants who, because of the frequency or nature of the complaints, they hinder the work of the organisation. Examples include the way or frequency that complainants raise their complaint with employees, or how complainants respond when informed of a decision about their complaint.

If it is suggested that a complainant is acting in an unreasonably persistent or vexatious way the CEO will confirm that the complaint is being, or has been, investigated properly according to the complaints procedure before any further action is taken.

The CEO will contact the complainant either by telephone, in writing or by email to explain why their behaviour is causing concern and ask them to change this behaviour. A telephone call will be followed up by a written communication. The CEO will explain the actions that TWL may take if the behaviour does not change.

If the disruptive behaviour continues, the CEO will issue a reminder letter to the complainant advising them that the way in which they will be dealt with by TWL in future will be restricted. The CEO will make this decision following consultation with the Chair and inform the complainant in writing of what measures have been put in place and for what period.

Any restriction that is imposed on the complainant's contact will be appropriate and proportionate and the complainant will be advised of the period of time the restriction will cover. In most cases restrictions will apply for between 3 and 6 months but in exceptional cases may be extended. In such cases the restrictions would be reviewed on a quarterly basis.

Restrictions will be tailored to deal with the individual circumstances of the complainant and may include:

- prohibiting the complainant from making contact by telephone except through a third party acting on their behalf
- restricting telephone calls to specified days, times and duration
- prohibiting the complainant from sending emails to individuals and/or all employees and insisting they only correspond by letter
- requiring contact to take place with one named member of staff only
- requiring any face to face contact to take place in the presence of an appropriate witness
- letting the complainant know that TWL will not reply to or acknowledge any further contact from them on the specific topic of that complaint (in this case, a designated member of staff should be identified who will read future correspondence)

When the decision has been taken to apply this policy to a complainant, the CEO will contact the complainant in writing to explain:

- why TWL has taken the decision
- what action(s) are being taken
- the duration of that action

- the right of the complainant to contact the Chair about the fact that they have been treated as a vexatious/persistent complainant

Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff and/or volunteers TWL will consider other options, e.g. reporting the matter to the police or taking legal action. In such cases, TWL may not give the complainant prior warning of that action.

In every case, full and complete records of all decisions and actions will be maintained in line with TWL data retention procedures.

4. Principles

- All complaints will be dealt with sympathetically, fairly and honestly.
- Responses to complaints will be as full and detailed as possible.
- If TWL, its staff or volunteers are found to be at fault, that will be acknowledged and the complainant will be informed of any future action to be taken.

5. Timescales

The initial complaint will be acknowledged in writing within 5 working days of receipt.

All complaints will be responded to within 10 working days of receipt, unless a longer period is required in order to gather information.

Any subsequent correspondence will be dealt with within the same timescales.

Copies of all complaints and responses will be kept on file for at least 12 months and will be reviewed by either the Staffing Committee or Governance Committee.

6. Contact Details for Tennis Wales Ltd

Complaints should be sent to:

Tenniswales@tenniswales.org.uk or

Tennis Wales Ltd
Space2b at The Maltings
East Tyndall Street
Cardiff
CF24 5EA