

Complaints Policy

Part 1: Overview and structure

Paisley Art Institute is committed to providing a quality service for its members and working in an open and accountable way that builds the trust and respect of all our stakeholders¹. One of the ways in which we can continue to improve our service is by listening and responding to the views of our members and stakeholders, and in particular by responding positively to complaints, and by putting mistakes right.

Therefore, we aim to ensure that:

- making a complaint is as easy as possible;
- we treat a complaint as a clear expression of dissatisfaction with our service which calls for an immediate response;
- we deal with it promptly, politely and, when appropriate, confidentially;
- we respond in the right way - for example, with an explanation, or an apology where we have got things wrong, or information on any action taken etc.;
- We learn from complaints, use them to improve our service, and review annually our complaints policy and procedures.

We recognise that many concerns will be raised informally, and dealt with quickly. Our aims are to:

- resolve informal concerns quickly;
- respond to concerns promptly and respectfully
- direct stakeholders to the complaints procedure should it be deemed necessary.

An informal approach is appropriate when it can be achieved. But if concerns cannot be satisfactorily resolved informally, then the formal complaints procedure should be followed. This document sets out this procedure.

Part 2 - What is a complaint? Roles and responsibilities

PAI definition of a complaint is:

‘An expression of dissatisfaction by one or more members or the PAI or member of the public about the PAI’s actions or lack of action’

This may include the following

- a) failure to provide services as required by OSCR;
- b) inadequate standard of service;
- c) Dissatisfaction with decisions of the Trustees with regard to the aims of the charity;
- d) Treatment by or attitude of a member towards other members or the general public.;

- e) disagreement with a decision where another procedure (for example selection policies, equalities policy) has not been correctly or fully enacted;.
- f) the Trustees failure to follow the appropriate administrative processes.

This list is not exhaustive

A complaint is not:

- g) a routine first-time request for a service or information;
- h) disagreement with decisions that have been agreed in accordance with the governance policy and constitution;
- i) disagreement with a decision where a statutory right of appeal exists, for example in relation to OSCR;
- j) an attempt to appeal decisions that relate solely to the decision rather than the way in which it was made taken;
- k) An attempt to reopen a previously concluded complaint or to have a complaint reconsidered where a final decision has already been provided.

All potential complaints will be taken seriously and considered under the above guidance and dealt with accordingly. As such it is the PAIs responsibility to:

- acknowledge the formal complaint in writing;
- respond within a stated period of time;
- deal reasonably and sensitively with the complaint;
- Take action where appropriate;
- Acknowledge responsibility for any mistakes
- Learn from the process.

A complainant's responsibility is to:

- bring their complaint, in writing, to PAI's attention within 6 weeks of the issue arising;
- raise concerns promptly and directly with the Trustees by directly contacting the Secretary;
- explain the problem as clearly and as fully as possible, including any action taken to date;
- allow PAI a reasonable time to deal with the matter;
- Recognise that some circumstances may be beyond PAI's control.

Anonymous and second-hand complaints will be considered and whilst the PAI will endeavour to resolve them there may be limited scope and all members should be encouraged to make a complaint in person and where required directed to the Membership Secretary and if appropriate our Vulnerable Adult Policy for support.

It should be acknowledged that any resultant actions will be the responsibility of Trustees, staff and members of Paisley Art Institution.

Part 3: The complaints handling process - guidance on handling a complaint through stages and dealing with post-closure contact.

1. Where a stakeholder feels they have a complaint or have been directed to the complaint procedure after the informal route has not been effective, the complainant should put the details of the complaint in writing with sufficient detail to allow the complaint to be initially assessed. This should be sent to the PAI Secretary in the first instance who will acknowledge receipt of the complaint in writing within 7 days. That does not mean at this stage that there has been agreement that a valid complaint has been made only that the PAI Trustees are in receipt.
2. The Secretary will then be tasked to share the complaint with the Trustees to assess the scope of the complaint. Where the complaint meets the criteria for an official complaint the Trustees will appoint an Investigating Officer selected from the Trustees. The Secretary will write to inform the complainant that the complaint is recognised under the policy and that an Investigating Officer has been appointed. Where a complaint is not deemed to meet the criteria the complainant will be informed. This stage regardless of either outcome will be concluded within 14 days.
3. The Investigating Officer will gather all the details pertaining to the complaint and produce a report of findings which will be presented to a meeting of the Trustees for consideration at a Committee meeting. The Trustees will then make a decision on whether the complaint is to be upheld or dismissed with resultant actions.
4. The complainant will then be informed in writing of the Trustee's findings and decisions as well as any resultant actions. This process would normally be concluded within 6 weeks of the investigation starting.
5. Appeals are not generally accepted if the complainant is dissatisfied with the findings and resulting decision. Decisions can only be reconsidered if there are errors within the process itself and not just dissatisfaction with the decision. This policy however does not preclude or prejudice any stakeholder for pursuing complaints through the appropriate statutory bodies.

Part 4: Governance of the procedure - roles and responsibilities and guidance on recording, reporting, publicising and learning from complaints.

Secretary – it will be the responsibility of the Secretary to acknowledge receipt of the complaint in writing within the designated timeframe. This will then require to be shared with the Trustees. The Secretary will also be responsible for the safe storage of records and the sharing of findings with the complainant or wider membership if appropriate.

Investigating Officer – where a valid complaint has been deemed to be made the Investigating Officer (selected from the Trustees) will be required to establish the facts. This should be confidential with findings in writing presented to the Trustees at the end of the investigation. The Investigating Officer will follow the code of conduct and observe PAI policies and practices as published.

Chair of Trustees - it will be the Chair's role to convene meetings in order to appoint an Investigating Officer and at the conclusion to share findings and decisions to enable actions to be taken. The Chair will have the deciding vote if required.

Trustees – it is the Committee's role to independently evaluate the evidence provided to them by the Investigating Officer. The Trustees will vote to decide whether the complaint is upheld or not by simple majority. The main function of the complaints procedure is to learn from mistakes and where there have been shortcomings and it will be the role of the Committee of Trustees to acknowledge these, enact resolutions and share learning across the PAI.

Acknowledgement

PAI acknowledge that not all issues that may arise can be resolved through any single complaints procedure and this policy must be read in conjunction with all the adopted policies for PAI. It also does not preclude the rights of any stakeholder from pursuing an official complaint through any other statutory authority. The Board also assume that stakeholders are acting in good faith and wish reciprocity in all these challenging interactions.

Footnotes

1. Stakeholders definitions (this list is not meant to be exhaustive).
 - members
 - employees
 - volunteers
 - contractors
 - sub-contractors
 - exhibiting artists
 - open entrants
 - applicants
 - exhibition attenders
 - event attenders
 - purchasers
 - vendors

These bye-laws are introduced under Clause 7 of existing [Constitution](#) "The Committee of Management shall have the power to make Bye-Laws, which must be consistent with the Constitution and Rules of the Institute".