

# Complaints Policy



August 2020

# Document Control

## Document Information

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## Version History

<b>Version No</b>	<b>Lead</b>	<b>Date change implemented</b>	<b>Reason for change</b>
v.01	Data Protection Officer	October 2019	
v2.0	Head of HR	August 2020	Policy updated following review by Gowlings.

## Consultation History

<b>Position</b>	<b>Organisation</b>
Data Protection Officer	Birmingham Organising Committee for the 2022 Commonwealth Games Limited
Chief Marketing and Communications Officer	Birmingham Organising Committee for the 2022 Commonwealth Games Limited

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## **1. Who we are**

Birmingham Organising Committee for the 2022 Commonwealth Games Ltd (Birmingham 2022) is an executive non-departmental public body, sponsored by the Department for Digital, Culture, Media & Sport.

## **2. Policy Statement**

Birmingham Organising Committee for the 2022 Commonwealth Games Ltd recognises that there may be occasions when customers wish to make a complaint. Birmingham 2022 believe that any such complaints should be aired, heard and acted upon in an open, fair and timely manner.

This policy provides a clear, open and fair way for customers to make their complaint and sets out a process for how these complaints will be acknowledged, handled and quickly resolved.

## **3. About this policy**

The aim of this policy is to set out how you can complain if you are dissatisfied with the service that Birmingham 2022 has provided or if you feel that Birmingham 2022 or an employee from Birmingham 2022 has treated you unfairly.

## **4. Policy Implementation**

### **4.1 Guiding Principles**

- a) Birmingham 2022 is committed to responding to all complaints as quickly and as effectively as possible.
- b) We will keep all complaints confidential and will only involve external personnel or parties if necessary.
- c) If you make a complaint, we will treat you with respect and, in return, we ask that you treat our staff respectfully, whilst they are dealing with your complaint.
- d) Making a complaint will not affect the level of service you receive from us. For example, if you are purchasing tickets for Birmingham 2022, your complaint will not impact on your ability to buy tickets.

### **4.2 Complaints we can help with**

- a) If you feel we have provided poor customer service
- b) If you feel we have treated you unfairly or discriminated against you
- c) If you feel we have failed to properly follow one of our procedures or policies
- d) If you feel we have not handled a request for information in accordance with the terms of the Freedom of Information Act 2000

### **4.3 Complaints we might not be able to help with**

There may be circumstances where we will not be able to uphold your complaint, including:

- a) If you wish to make it anonymously - fully anonymous complaints are difficult to investigate and it may not be possible to respond to you. However, we will always consider any anonymous complaints received but please be aware that this is likely to be on a more limited basis than would otherwise be possible;
- b) If you wish to highlight your disagreement with one of our published policies - where we conclude after investigation that the policy in question complies with our legal obligations;
- c) If you wish to highlight your disagreement with a decision that we conclude, after investigation, was reached properly and in accordance with our policies, procedures and legal obligations; and
- d) If your complaint relates to an action or policy from another Games partner\*
- e) \*Please note, if you wish to make a complaint about an aspect of the Games which is managed by one of the other Games partners, then you will need to contact them directly and follow their complaints procedure.

Games Partners include: The Commonwealth Games Federation, Commonwealth Games England (Team England), Birmingham City Council, West Midlands Combined Authority, Transport for West Midlands and the Department for Digital, Culture, Media and Sport.

#### **4.4 How to make a complaint**

If, having read the information above, you decide that you do wish to make a complaint and that we are the correct organisation for you to complain to, the following sets out how you can make that complaint, how we will handle the complaint and how we will seek to resolve the issue:

- a) Complaints can be made in writing, depending on the nature of your complaint;
- b) You should set out clearly the reasons for your dissatisfaction and provide copies of any background information you consider relevant;
- c) You should outline any action you think we could take to resolve the matter;
- d) Complaints should be made within 90 days of the incident giving rise to your concern. We may, at our discretion, consider complaints raised after 90 days if there has been an understandable reason for the delay;
- e) If you make a complaint, you should provide your name and contact details; we will only use this information for the purposes of handling your complaint and will not disclose it to anyone else;
- f) We may need to contact other parties (without disclosing your identity) in order to properly investigate your complaint. If you do not wish us to do so you must tell us, although we reserve the right to refer serious matters to relevant enforcement authorities at any time;
- g) We aim to acknowledge your complaint within three working days and will provide you with contact details for the member of staff looking into the matter;
- h) We aim to provide a response as quickly as possible and, wherever possible, within 20 working days, but, if we need longer to consider your complaint, we will explain why and tell you when you can expect to receive a response.

If at any time you need advice about how to make your complaint and who you should be complaining to, please email [generalenquiries@birmingham2022.com](mailto:generalenquiries@birmingham2022.com) or write to:

General Enquiries Co-Ordinator  
Birmingham 2022 Organising Committee  
1 Brindley Place  
Birmingham, B1 2JB

### **Stage one - informal complaint**

We aim to resolve complaints as quickly as possible and as close to the source of the problem, so initially you should complain to the General Enquires Co-Ordinator and ask them to help you resolve your complaint.

The General Enquiries Co-Ordinator will ask you about why you are making the complaint and, if possible, they will take action to resolve your complaint immediately. If this is not possible, they will escalate your complaint and it will become a formal complaint instead.

### **Stage 2 - formal complaint**

If your complaint is escalated, it will become a formal complaint and will be dealt with as set out below:

#### **Next steps**

The General Enquiries Co-Ordinator will look into your complaint. They will review the information that you provide and speak to the member of staff originally involved in the complaint and any other relevant witnesses, if necessary.

Once they have reviewed all of the information, you will be contacted in writing to confirm the outcome of your complaint and, if relevant, detail any action we propose to take to resolve your complaint.

#### **Appeal**

If your complaint is not resolved by the General Enquiries Co-Ordinator, you can appeal to our Data Protection Officer in writing by sending an email to [dp@birmingham2022.com](mailto:dp@birmingham2022.com) or by post to the address set out below.

They will review the matter. If for any reason your appeal cannot be appropriately reviewed, your appeal may be escalated to the Chief Executive Officer to consider. The person in charge of investigating your appeal will aim to acknowledge receipt within five (5) working days of receipt of the appeal.

The person in charge of investigating your appeal will review the information you have provided, speak to all members of staff involved and look at how your complaint has been handled by the organisation.

Following this review, they will write to you to inform you of the outcome of this review. Wherever possible, they will aim to do this within twenty (20) working days of your appeal being received. If, for any reason, they need longer to review your appeal, they will explain why and tell you when you can expect to receive a response. The outcome will be final and there will be no further right of appeal.

## **If you are still not satisfied**

The Parliamentary and Health Service Ombudsman (PHSO) can look into complaints if an individual believes that Birmingham 2022 has not acted properly or fairly or has given poor service and not put things right.

The PHSO publishes extensive information about raising an issue with them on its website: [www.ombudsman.org.uk](http://www.ombudsman.org.uk). Generally speaking, you will not be able to ask the PHSO to look into your complaint without the support of your MP.

The PHSO will not be able to consider your complaint unless you have first been through the Birmingham 2022 complaints procedure set out herein and has no powers to review the merits of a decision made by us.

In some circumstances you may be able to ask for a judicial review whereby a judge examines your complaint to determine whether Birmingham 2022 have acted lawfully. You should seek legal advice if you are considering requesting judicial review of your complaint.

## **Complaints about a Freedom of Information request (FOI)**

Our publication scheme gives details of what information we make available to the public. If you want information that we do not include in our publication scheme, the Freedom of Information Act 2000 gives you the right to ask us for it. Under the Act, we must provide you with the information you ask for unless it is not covered by the Act (that is, it is 'exempt'). If the information you want is exempt, we have to tell you why. If you do not agree with us, you should ask for an internal review under the Act and contact the General Enquiries Coordinator or email [FOI@birmingham2022.com](mailto:FOI@birmingham2022.com)

## **Comments and suggestions**

We welcome comments and suggestions as these can help us improve our services. Please send any comments or suggestions to [generalenquiries@birmingham2022.com](mailto:generalenquiries@birmingham2022.com)

## **Accessibility**

Alternative formats of this document are available on request. Please email [marketing@birmingham.com](mailto:marketing@birmingham.com) or call 0121 303 5422.

## **Key contacts**

### **General Enquiries Co-Ordinator**

Birmingham 2022 Organising Committee  
1 Brindley Place, Birmingham, B1 2JB  
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### **Data Protection Officer**

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**Chief Executive Officer**

**Ian Reid**

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**The Parliamentary and Health Service Ombudsman**

Millbank Tower

Millbank

LondonSW1P 4QP.

Complaints Helpline Phone: 0345 015 4033

[E-mail: phso.enquiries@ombudsman.org.uk](mailto:phso.enquiries@ombudsman.org.uk)