



### **Cork City Marathon Complaints Policy**

Cork City Marathon is committed to providing a quality service to attendees and we regularly evaluate our services in order to ensure this and to monitor the standard of our performance.

While this is always our aim, we accept that sometimes things do not always go to plan. In such circumstances, we want to know, so that we can put things right and learn from our mistakes.

We welcome all comments on our services, positive or negative. Complaints will be accepted and investigated irrespective of the nature of the complaint or who the person making the complaint is.

Cork City Marathon gives a commitment to resolve complaints as quickly as possible. All complaints will be dealt with seriously, sensitively and appropriately to ensure that the standard of service provided by Cork City Marathon is maintained at a high level. The quality of the service provided to any attendee will never be adversely affected because a complaint has been made.

The complaints procedure is kept as simple as possible. Anyone making a complaint will be supported through the process as needed and given a copy of the 'Complaints Policy and Procedures'. The complaints policy and procedures are displayed on our website.

When a complaint is received the Project Manager will be informed immediately. Every effort will be made to address the issue informally before moving to a formal procedure. If necessary the complaint will be fully and appropriately investigated. A written acknowledgment of receipt of the complaint will usually be sent within 5 working days and a response within 28 days.

Where a complaint concerns a member of staff or volunteer, we will address the situation with due regard to our obligations as an employer and the rights of the employees, the terms governing their conditions of employment and the procedures outlined in the staff handbook and our Volunteer Policy.

If a complaint is made against a Senior Staff Member/Volunteer or Project Manager, a representative of the Cork City Marathon senior team will conduct an investigation and ensure appropriate management and recording of the complaint.

In the event of errors being made, Cork City Marathon will endeavour to correct them as quickly as possible and to give an explanation and, where appropriate, issue an apology, initiate disciplinary action and/or update relevant policies.

All complaints made – both formal and informal – will be recorded in detail. Records will be stored in the Complaints Records File and will be retained for at least two years following resolution of the complaint as required by regulation.

All information relating to any complaint will be treated as confidential and shared only on a need to know basis. In the case of a Child Protection concern the Child Protection Policy will apply. All records of complaints will be kept in full compliance with the Child Care Act 1991 (Early Years Services) Regulations 2016, Data Protection Act 2018, GDPR and Freedom of Information Act 2014. The Complaints Records File will be available to those authorised to inspect it, including the Tusla Early Years Inspector.

The evaluation of the outcome of the complaint will form part of the considerations for future policy and practice and risk management procedures.

### ***Procedures & Practices How a complaint is received***

Cork City Marathon is committed to open and regular communication with adult service users/parents/guardians. We welcome all comments on our services, whether they are positive or negative. Complaints will be accepted irrespective of the nature of the complaint or who the person making the complaint is.

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

A complaint can come to the attention of the service in a number of different ways:

- Contact, by phone or in person, with a staff/volunteer member or by letter and/or email,
- The complaint may be made by the person directly affected or by a person acting on their behalf.

To whom a complaint can be made If a person has a complaint about some aspect of the service's activity, or about the conduct of an individual member of staff, it will often be possible to resolve the problem by simply speaking to the individual concerned and/or to the Senior Volunteer/Staff Member/Project Manager. Some complaints may fall more into the category of disagreements or differences of opinion, and may be resolved through discussion and compromise on the part of both the person making the complaint and the staff/volunteer member concerned.

#### **How a complaint will be managed**

##### *Stage One: Informal Process*

In the first instance, those who wish to make a complaint are encouraged to speak directly to the relevant member of staff. If they do not want to do this, they can speak with any member of the organiser team who will try to resolve the problem.

The details of the complaint and the response will be recorded by the team member. If a satisfactory resolution cannot be found, then Stage Two of the procedure will formally come into operation.

##### *Stage Two: Formal Process*

If informal discussions of a complaint or problem have not produced a satisfactory resolution to the situation, those making the complaint should be encouraged to put their complaint in writing [ccm@davisevents.ie](mailto:ccm@davisevents.ie) titled "Official Complaint." All necessary support will be provided. Relevant names, dates and any other important information on the nature of the complaint should be included.

The Organisers will appoint an Official Designated team member to oversee this complaint and will acknowledge receipt of the complaint in writing as soon as possible – usually within 5 working days – and fully investigate the matter within 28 working days. If there is any delay, those who made the complaint will be advised of this and offered an explanation. The Official Designated team member will be responsible for sending them a full and formal written response to their complaint.

The Official Designated team member, with the assistance of appropriate staff/volunteer members, will carry out a full investigation. This may involve:

- Interviews with all relevant individuals
- Minute taking of all meetings
- Individuals being informed that they may have an appropriate individual present with them during the investigation.

Where no grounds for the complaint are found, the person making the complaint will be notified and information detailing the next stage will be provided.

Where the Official Designated Team Member (or other appropriate person) investigating, finds grounds for the complaint, they will ensure that all of the required details are available from the person making the complaint.

Staff/Volunteer members must participate and support the investigation of any complaint, where requested. Any staff/volunteer member involved in the complaint will be supported throughout the process.

Any complaints not within the scope of the service to investigate, will be referred appropriately. For example:

- If the Official Designated Team Member has good reason to believe that the situation has Child Protection implications, they must inform the designated Child Protection Officer and ensure that the local Tusla Duty Social Worker is contacted, according to the procedure set out in the Child Protection Policy.
- If any person involved in the complaint has good reason to believe that a criminal offence has been committed they should contact An Garda Síochána.

Where a complaint relates to Health and Safety it may be appropriate to notify the Health and Safety Authority.

#### Communication of the Response/Outcome

The formal response to the complaint will be sent from Cork City Marathon to the person who made the complaint and copied to all relevant members of staff/volunteers if appropriate. The response will include recommendations for dealing with the complaint and any necessary amendments to the service's policies and/or procedures and/or risk management procedures, arising from the investigation.

The Official Designated Team Member may arrange a time to meet the person who made the complaint and any other relevant individuals, such as members of staff/volunteers, to discuss the complaint and the service's response to it. The Official Designated Team Member will judge if it is best for all parties to meet together or if separate meetings are more appropriate.

The person making the complaint will be notified of the progress of an investigation on an ongoing and regular basis by the manager in writing, by email or letter.

The person making the complaint will be immediately informed of the outcome of the complaint once it has been completed.

### *Stage 3: Review*

If, at the conclusion of the above process, those who made a complaint are dissatisfied with the response they have received, the original complaint along with the service's response will be passed to the Organisers who will ensure that there is a complete review of the complaint. This review will be undertaken by a person not previously involved. The Organisers will communicate a detailed response, including any actions to be taken, to both the Official Designated Team Member and the person who made the complaint, within 28 working days.

### Recording of Complaints and Confidentiality

Records of complaints must be kept in the Complaints Records File, separate from children's files. All information relating to complaints is to be shared only on a need-to-know basis. Where a complaint involves a child protection concern the Child Protection Policy will apply.

Where a complaint involves an allegation of a breach of a person's rights (child or adult) and/or a criminal action or behaviour the appropriate authorities must be informed. The record of the complaint must be kept for at least two years from the date on which the complaint has been dealt with. [This period may vary depending on other legal requirements.]

The record is to include:

- The name of the complainant
- The nature and details of the complaint
- The date and time the complaint was received
- The manner in which the complaint was received
- The name of the person who received the complaint
- The level of risk to the adult, adults, child or children arising from the subject of the complaint
- The manner in which the complaint was dealt with, including:
  - o Any local resolution implemented
  - o Any specific meetings held with the person making the complaint and minutes of any such meetings

Please note: This timeframe may be different depending on the severity of the complaint, the urgency of the complaint, its complexity, and the availability of all those people who need to be involved.

o Timelines for investigation of the complaint and notification of the outcome to the person making the complaint

- Details of the investigation carried out
- The outcome of the investigation
- Details of any corrective or preventive actions to resolve the complaint
- Information given to the person making the complaint about the progress and the outcome of the complaint
- of the investigation and whether the action taken to resolve the complaint was accepted
- Details of any plan implemented for the child's care as a result of the complaint as agreed with the child's parents/guardians
- Details of any review to the risk management process in light of the complaint.
- Details of any changes to practice or policy.

All records of complaints must be kept in full compliance with the Child Care Act 1991(Early Years Services) Regulations 2016, Data Protection Act 2018 and Freedom of Information Act 2014.

Only members of staff/volunteers authorised by the CEO can access the Complaints Records File.

### **Vexatious Complaints Policy**

*What is a vexatious complaint?*

Cork City Marathon understands that if an attendee makes a complaint, then it is a concern to them, whatever others might think. The organisers are committed to dealing with all complaints transparently or fairly and in line with its published procedures. However, the organiser reserves the right to consider a complaint vexatious for the reasons set out below.

The organisers considers a complaint to be vexatious as set out below, this list is not exhaustive;

1. Complaints which are obsessive, persistent, harassing, prolific, repetitious;
2. Insistence upon pursuing unmeritorious complaints and/or unrealistic outcomes beyond all reason;
3. Insistence upon pursuing meritorious complaints in an unreasonable manner;
4. Complaints which are designed to cause disruption or annoyance;

Deciding whether a complaint is vexatious is a balancing exercise. The organisers making this decision will take into account all the circumstances of the case. The organisers will consider both the contents of the complaint and the person receiving the complaint's behaviour in relation to the complaint before reaching a decision.

*What happens if a complaint is found to be vexatious?*

If a decision is taken by the race organisers that a person's complaint is vexatious, the organisers will write to the person explaining that they are no longer prepared to engage with the person in relation to the vexatious complaint. The person will be given a full written explanation for the decision.

#### **Communication Plan [For staff, volunteers & attendees]**

This policy will be available to be accessed on the website.

This policy will be reviewed with staff/volunteers as needed.

When an official complaint is received, the person making an official complaint, they will be given a copy of this Policy and Procedures.

A copy of all policies will be available during all hours of operation on our website.

This policy will be reviewed annually with the updated policy uploaded to our website.

#### **Who Must Observe This Policy**

This policy must be observed by all staff and volunteer members.

#### **Contact Information**

If you need more information about this policy or wish to file a complaint, please contact the administrator on [ccm@davisevents.ie](mailto:ccm@davisevents.ie) titled Official Complaint

**Policy Review Date-** this policy was reviewed 26-04-2023.