

Oxford Mindfulness Foundation

External Complaints Policy and Procedure

Introduction

At the Oxford Mindfulness Foundation (OMF), we are committed to providing the best possible service to all who engage with us. We expect all who work with the OMF to adhere to our Guiding Ethical Principles and aim for excellence in all we do.

Nevertheless, we recognise that occasionally someone might want to communicate they are dissatisfied, and we would like that process to be as clear and easy as possible and that any actions required can be handled swiftly. This ensures we can review and if necessary, learn from what happened, putting measures in place to further build on the quality of our services and procedures.

Any complaints will be overseen by the OMF Chief Executive Officer (CEO) and Board and dealt with under the processes below.

Good faith

Complaints will be handled with an appropriate level of confidentiality. There is an expectation that complainants and OMF staff members will treat both the complaints processes and each other with respect.

Those who make a complaint will not be treated less favourably or suffer any detriment or disadvantage if the complaint is made in good faith, regardless of whether the complaint is successful. Equally, individuals mentioned in a complaint will not be treated less favourably than if the complaint had not been brought. If the complaint is upheld however, that individual may be subject to disciplinary action.

We may reject a complaint at any time, on the basis that it has not been made in good faith and is "frivolous or vexatious". Making this decision is at the discretion of the OMF Board, and is a balancing exercise, taking into account all the circumstances of the case, but these instances may include:

- Complaints which are designed to cause disruption or annoyance.
- Complaints that include obsessive, persistent, harassing, and repetitious language.
- Complaints that demand redress and which lack any serious purpose or value.
- When there is an insistence on pursuing an unmeritorious complaint.
- When there is an insistence on pursuing a meritorious complaint in an unreasonable manner
- When the remedy sought is unrealistic.

If the OMF Board and/or the CEO decides that a complaint is frivolous or vexatious, they will confirm this in writing in a letter (sent via email) detailing the reasons and the complaint will be terminated without further investigation. In addition, any complaints and/or allegations against the OMF, a member of staff, or any other individual engaging with the OMF that are found to be harassing, malicious or vexatious, may lead to further action under our Disciplinary Policy and the Fitness to Study/Practice Policy.

STAGE 1 (INFORMAL) - Preliminary Enquiries

If you are considering whether to make a complaint, you are encouraged to make preliminary enquiries by email addressed to the OMF's Operations Manager via admin@oxfordmindfulness.org to see whether we can meet your concerns quickly and informally. We hope that most complaints can be dealt with successfully at this stage.

If you feel that a complaint has not been dealt with satisfactorily at this level or if the problem is of a more serious nature, then the formal procedures described below apply. Normally, at this stage, your complaint will only be seen by those considering your complaint. Nevertheless, during investigation we may approach others to gain information from all those involved.

STAGE 2 (FORMAL) - Making a formal complaint

The second stage is for you to email the CEO of OMF to consider your complaint.

A complaint should be made as near as possible to the events concerned, usually within a month, and in exceptional circumstances (for example, if you were seriously ill / hospitalised) no later than **within 6 months**.

In an email marked 'Formal Complaint – Confidential' to ceo@oxfordmindfulness.org please provide as much detail and as clearly as possible:

- The nature of complaint and details of what happened
- Dates the relevant incident(s) happened
- Names of the individual(s) involved
- Date and outcome of any action already taken to raise and resolve the matter directly
- An indication of the desired outcome

At this stage, where there are other individuals involved, they will be notified of the complaint.

On receipt of the email above (as long as all the required information has been provided), the CEO will consider the complaint, will determine a fair and equitable response, and make a judgement **within 30 working days**. If the complaint is upheld, the judgment may include:

- A full report detailing the review into the complaint
- An apology (which is not necessarily an admission of liability)
- The matter put right, and details of any action deemed necessary taken by the OMF

If the complaint is not upheld and found to have no grounds, the judgement may include:

- A full report detailing the review into the complaint.
- Challenges to the allegations made, with details where there might be conflicting evidence, if appropriate.
- Details of next steps if the complaint was found not to be made in good faith.

STAGE 3 (FORMAL) - Appealing the outcome

If you wish to appeal the outcome / judgment of your complaint, you should contact the CEO **within 30 working days** of our response, setting out the grounds of your appeal.

An Appeal Panel will be convened by the Chair of the Board of OMF Trustees (usually with two other Trustees of the OMF Board). The Panel will review the complaint and the CEO's response.

The Panel may also ask for additional information from all involved and will provide, a full written report **within 30 working days** covering:

- The circumstances leading to the complaint and appeal.
- The steps taken to investigate.
- Reasons for the decisions made in Stage 2.
- Agreed response to the appeal.

When these internal procedures have been concluded you will be issued with a Completion of Procedures letter (sent via email).

If you wish to appeal the Board of Trustee response and their Completion of Procedure outcome, you can do this in writing to the CEO within 5 working days following written receipt of the Completion of Procedures letter. The appeal should include reasons for appealing, and what you wish to achieve from the appeal. An independent person or organisation will review the complaint, their findings will be final in respect of the complaint's procedure.

Appeals at this level require a £5,000 advance escrow payment to the OMF legal team. If the appeal is dismissed, the complainant (via the escrow payment) will bear all costs involved in this process. If the appeal is upheld, full escrow payment will be returned with OMF bearing associated costs.

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