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Complaints Policy and Procedures 2022

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Last updated by	Date updated
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Complaints Policy

1 Aim of policy

November Club views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person (or organisation) that has made the complaint.

The aim of our policy is:

- To provide a fair complaints procedure which is clear and easy to use.
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- To make sure everyone at November Club knows what to do if a complaint is received.
- To make sure all complaints are investigated fairly and in a timely way.
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired.
- To gather information which helps us to improve what we do.

2 Scope

November Club is committed to providing diverse, equitable and inclusive opportunities to all people who access our services irrespective of their race, ethnic origin, disability, age, nationality, national origin, sexuality, religion or belief, marital or civil partnership status and social class and gender (whether this be the gender assigned at birth or otherwise). This policy is intended to provide people who are dissatisfied with the service they have received an opportunity to complain.

This policy applies to individuals external to the organisation i.e. who do not work for November Club on a paid or voluntary basis, including its trustees. It details how individuals raise a complaint and how November Club's team will deal with the complaint.

This Policy and Procedure does not cover:

- Allegations or expressions of concern about the welfare of children or adults at risk which should be referred to November Club's Safeguarding Lead.
- Issues raised by individuals who have not been directly affected by the matter being complained about, except where done so in accordance with paragraph 3.3.

- Grievance, capability or disciplinary matters which are addressed using other November Club Policies and Procedures.
- Whistleblowing, which is addressed by a separate November Club Policy and Procedure

November Club will not investigate anonymous complaints. For Whistle Blowing submissions, please see separate Policy and Procedure. November Club asks that personal contact details accompany the complaint.

3 Policy Statements

3.1 Definition of Concern

A concern is defined as an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

3.2 Definition of a Complaint

A complaint is a formal expression of dissatisfaction, whether justified or not, about any aspect of November Club.

3.3 Where Complaints Come From

Complaints may come from any person or organisation who has a legitimate interest in November Club – including partners, stakeholders, freelancers, clients, project participants, and members of the general public.

A complaint can be received verbally, by phone, by email or in writing. This policy does not cover complaints from staff or volunteers, who should use November Club's Discipline and Grievance policies as outlined in the Staff and Volunteer Handbooks.

A representative can complain on a person's behalf where that person:

- Is 18 years of age or under
- Has requested the representative to act, as confirmed in writing to November Club
- Lacks mental capacity, as assessed under the Mental Capacity Act 2005; and lacks mental capacity to make a specific complaint
- Has appointed a person as a Lasting Power of Attorney for health and welfare
- Has an appointed Independent Advocate
- Is deceased

3.4 Confidentiality

All complaint information will be handled sensitively following The Data Protection Act 2018. Only those directly involved in the case who need to access the information in order to deal with the complaint will be able to obtain relevant confidential information.

4 Responsibilities

Overall responsibility for this policy and its implementation lies with the Business and Operations Director or if necessary, the Board of Trustees.

The individual staff or trustee member who receives a complaint is responsible for passing the information on to the Business and Operations Director within 2 days.

The Business and Operations Director is responsible for logging the complaint and identifying an appropriate person to investigate and take appropriate action.

The person appointed to investigate is responsible for maintaining contact with the complainant and keeping them informed as outlined in the Stage 1 resolution procedure outlined below.

The Chair of November Club is responsible for acknowledging a complainant's request that their complaint is reviewed at Board level, and liaison with the Business and Operations Director on who should carry out Stage 2 of the resolution procedure.

Where appropriate, the Business and Operations Director will be responsible for informing November Club staff of the outcomes of complaints, if doing so informs future/preventative action.

All trustees, members of staff and other workers are responsible for reading and taking steps to understand and execute these policies.

Complaints Procedures

1 How to Complain

Our aim is deal with any complaint as soon as possible. Many complaints can be resolved informally. In the first instance contact us and, if you feel able, speak to the member of staff with whom you have had contact or ask to speak to our Business and Operations Manager, who will try to resolve the matter.

If you are not satisfied or do not wish an informal solution, you may pursue a formal complaint.

Written complaints may be sent November Club, 54a Newgate Street, Morpeth, NE61 1BE or by e-mail at info@novemberclub.org.uk.

Verbal complaints may be made by phone to 01670 457808 or in person to any of November Clubs' staff or trustees at the above office or at any of our events or activities.

When you make a complaint, it is helpful if you could include the following information:

- Describe clearly what happened – please include the date, time and location of the incident.
- Tell us why you are making a complaint
- Tell us what you would like us to do.
- Please provide your full name, email address and contact phone number.
- Tell us how you would prefer us to contact you.

If appropriate, please send us any documents that support your complaint.

What happens next?

You will receive acknowledgement of your complaint within 5 working days, and you may be contacted to obtain any additional information that we may require to help us resolve the complaint.

You will receive a response to your complaint within 28 working days of its receipt. Any extension of this time limit requires your consent.

We cannot guarantee that complaints made via social media will be seen and responded to within the timescales set out in this policy. We will aim to acknowledge complaints made via these channels but refer the complainant to an alternative method of communication so that the complaints policy can be followed.

If a criminal offence is alleged, then the police will be informed.

Can you take your complaint elsewhere?

We encourage you to contact us directly to resolve your complaint in the first instance, but you can contact the Charity Commission and make a complaint at any point.

Details of how to make a complaint with the Charity Commission can be found: [gov.uk/government/publications/complaints-about-charities](https://www.gov.uk/government/publications/complaints-about-charities).

2 Receiving Complaints

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have.

Complaints received by telephone or in person need to be logged. The person who receives a phone or in person complaint should:

- Write down the facts of the complaint.
- Take the complainant's name, address and telephone number.
- Note down the relationship of the complainant to November Club (for example: partner, participant, member of public).
- Tell the complainant that we have a complaints procedure.
- Tell the complainant what will happen next and an estimate of how long the process will take.
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words. For further guidelines about handling verbal complaints, see **Appendix 1**.

3 Resolving Complaints

Stage One

In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. Whether or not the complaint has been resolved, the complaint information should be passed to the Business and Operations Director within two working days.

On receiving the complaint, the Business and Operations Director (or nominated member of staff) will record the complaint in the Complaints Log. If it has not already been resolved, they delegate an appropriate person to investigate it and to take appropriate action. If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within 5 days of the complaint being made. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

Ideally complainants should receive a definitive reply within 28 working days. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed at Board level. At this stage, the complaint will be passed to the Chair of November Club.

The request for Board level review should be acknowledged within 5 working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply. November Club's Business and Operations Director may personally investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond. The person who dealt with the original complaint at Stage One should be kept informed of what is happening.

Ideally complainants should receive a definitive reply within 28 working days. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given. Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The decision taken at this stage is final, unless the Board decides it is appropriate to seek external assistance with resolution.

External Stage

The complainant can complain to the Charity Commission at any stage. Information about the kind of complaints the Commission can involve itself in can be found on their website at:

www.charitycommission.gov.uk/publications/cc47.aspx

Variation of the Complaints Procedure

The Board may vary the procedure for good reasons. This may be necessary to avoid a conflict of interest, for example, a complaint about the Chair should not also have the Chair as the person leading a Stage Two review. This also applies to the Business and Operations Director for Stage One, where the complaint would be referred automatically to the Artistic Director/CEO.

Monitoring and Learning from Complaints

Complaints are reviewed annually to identify any trends which may indicate a need to take further action.

Advocacy Services

If an individual requires support to access and use November Club's Complaints Procedure, Adapt North East provide an independent complaints advocacy service in Northumberland:

[Independent Complaints Advocacy Northumberland - Adapt \(adapt-ne.org.uk\)](http://IndependentComplaintsAdvocacyNorthumberland-Adapt(adapt-ne.org.uk))

Appendix 1 - Practical Guidance for Handling Verbal Complaints

- Remain calm and respectful throughout the conversation
- Listen - allow the person to talk about the complaint in their own words. Sometimes a person just wants to "let off steam"
- Don't debate the facts in the first instance, especially if the person is angry
- Show an interest in what is being said
- Obtain details about the complaint before any personal details
- Ask for clarification wherever necessary
- Show that you have understood the complaint by reflecting back what you have noted down
- Acknowledge the person's feelings (even if you feel that they are being unreasonable) - you can do this without making a comment on the complaint itself or making any admission of fault on behalf of the organisation e.g. "I understand that this situation is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of your organisation, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do, how long it will take and what it will involve.
- Don't promise things you can't deliver
- Give clear and valid reasons why requests cannot be met
- Make sure that that the person understands what they have been told
- Wherever appropriate, inform the person about the available avenues of review or appeal