

# Complaints Policy

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## 1. Purpose

YMCA North Tyneside is committed to high standards in service delivery and welcomes feedback from individuals, users of our services, stakeholders, funding bodies and anyone who works with us on all aspects of our services.

We recognise that complaints may arise whether they are directed at individual staff members or the organisation as a whole. Our aim is to address these concerns fairly, promptly and confidentially.

This policy outlines the formal process for raising and resolving all complaints. It ensures that every concern brought to our attention is taken seriously and handled consistently, impartially and in a timely manner.

By doing so, we strive for satisfactory resolution and the continuous improvement of our services and practices. Such feedback is invaluable in helping us to evaluate and improve our work.

## 2. Principles

We handle all complaints based on a set of core principles to ensure the process is fair and effective.

- **Fair and unbiased:** We will look into all complaints fairly and without taking sides.
- **Confidential:** We will only share information about your complaint with the people who need to be involved to resolve it.
- **Timely:** We aim to resolve all complaints as quickly as we can and will keep you informed about our progress.
- **Transparent:** We will let you know what is happening with your complaint at every stage.
- **Respectful:** We will treat everyone involved in a complaint with dignity and respect.
- **No negative consequences:** You will not be treated unfairly or punished for making a complaint in good faith or for participating in an investigation.
- **Focused on solutions:** Our main goal is to find a satisfactory resolution to your complaint and to learn from your feedback to improve our services.

We will provide reasonable adjustments to ensure the complaints process is accessible where required. This may include advocacy support, translation services or alternative formats upon request.

### 3. Scope

This policy applies to all complaints made by individuals or external organisations against any staff member (including employees, volunteers, contractors and agency staff) or against the organisation's policies, procedures, services or actions.

Where a complaint relates to a contractor or partner delivering services on our behalf, we will liaise with them to ensure a proper investigation and resolution

#### **It does not cover:**

- *Concerns relating to Housing Services*

Any complaints raised by residents using our Housing services will be handled in accordance with our Comments, Compliments and Complaints Policy.

- *Safeguarding concerns:*

If a complaint involves a safeguarding concern, the Safeguarding Policy and relevant procedures will take precedence. The complainant will be informed and redirected accordingly.

- *Complaints from staff about other staff members:*

These should be handled through the Disciplinary and Grievance Procedures.

- *Appeals against decisions:*

Where a formal appeals process already exists (e.g., appeals against a recruitment decision or a specific service outcome), that process should be followed.

- *Anonymous complaints:*

While we may record anonymous feedback for trend analysis, we cannot investigate specific anonymous complaints under this formal procedure due to the inability to seek clarification or provide a response.

- *Whistleblowing disclosures:*

These are covered by our separate Whistleblowing Policy.

#### 4. Complaint Time Limits

We ask that you make your complaint no later than 3 months from the date the issue occurred.

We understand that there may be exceptional circumstances that prevent you from meeting this deadline. If this is the case, please explain the situation, and we will consider extending the time for you to submit your complaint.

#### 5. Definitions

- **Complainant:** The individual or organisation making the complaint.
- **Complaint:** An expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation or its staff, affecting an individual or group. This may be justified or not.
- **Staff Member:** Any individual working for or on behalf of the organisation including employees, volunteers, contractors and agency staff.
- **Investigating Officer:** A designated individual, independent of the subject of the complaint where possible, responsible for gathering information and preparing a report on the complaint.
- **Resolution:** The outcome of the complaint process, aiming to address the complainant's concerns, which may include an explanation, an apology, remedial action or a change in policy/procedure.

#### 6. Roles and Responsibilities

- **Staff Member:** The first person to receive a complaint, responsible for trying to resolve the issue quickly and directly.
- **Manager / Investigating Officer:** Conducts a full investigation of the complaint (Stage Two). They will meet with the complainant if needed and aim to provide a written response within 10 working days.
- **HR Department:** Logs all complaints, assigns a reference number, and sends a formal acknowledgement within 3 working days. The department also oversees the review of this policy.
- **Executive Leadership Team (ELT):** Handles all appeals (Stage Three). They will review the initial investigation and provide a final decision.

- **Board of Trustees:** Reviews annual complaint reports and handles any complaints made directly against the Chief Executive.

## 7. Complaints Procedure

YMCA North Tyneside aims to settle the majority of complaints quickly and satisfactorily by the member of staff who provides the service. The complaint may be resolved quickly by way of an apology or by an acceptable explanation to the individual.

Where possible, concerns should be addressed informally at the earliest opportunity by the staff member involved or their line manager. This helps resolve issues quickly and prevents escalation. If the matter cannot be resolved informally, the formal procedure set out below should be followed.

### **There are three stages to the formal complaint procedure:**

- Stage One – the complaint
- Stage Two – investigation
- Stage Three – appeal

### **7.1 Stage One - Complaint**

7.1.1 Complaints can be raised verbally, in writing, by email, through our website or via a trusted advocate. Where a complaint is received via social media, staff should request to take the discussion offline and record it formally if it meets the definition of a complaint

7.1.2 Should the complainant wish to make their complaint in writing, please complete a complaint form which is available on our website [www.ymcanorthtyneside.org](http://www.ymcanorthtyneside.org).

7.1.3 Individuals wishing to make a complaint should contact the person who provided the service or their line manager. Alternatively, they can contact us by writing to: HR Department, YMCA North Tyneside, Church Way, North Shields, Tyne & Wear NE29 0AB or by email: [hr@ymcanorthtyneside.org](mailto:hr@ymcanorthtyneside.org)

- 7.1.4 The complaint should include the complainant's name and address, the nature and date of the complaint and how they want to see it resolved. The complaints form can be requested and can be sent to the complainant or collected by the complainant.
- 7.1.5 On receipt, each complaint will be allocated a reference number and logged on the complaints register. Complainants must receive an acknowledgement within 3 working days of receipt of a signed complaint.

## 7.2 Stage Two - Investigation

- 7.2.1 All complaints at this stage should be dealt with by a manager or designated investigating officer. If a meeting with the complainant is necessary, they will aim to do so within **ten working days** of receiving the written complaint.
- 7.2.2 Complaints will be investigated and a written response provided to the complainant within **ten working days** of the complaint being acknowledged.
- 7.2.3 In cases where the investigation requires more time, for example due to complexity or staff availability (such as annual leave), a holding letter will be sent after ten working days, informing the complainant of the delay and providing a revised timeline for concluding the investigation.
- 7.2.4 The complainant will receive written confirmation of the outcome of any investigation, any recommendations/remedies made, such as reviewing of policies, staff development and training or appropriate improvement to our services.
- 7.2.5 Where the complaint is upheld an apology should be offered.
- 7.2.6 If an individual remains dissatisfied with the outcome from Stage Two they can appeal within **fourteen working days** of the date of the outcome and progress to Stage Three.
- 7.2.7 The complaints register will be updated and any pending complaints flagged so they are followed up.

### 7.3 Stage Three - Appeal

- 7.3.1 If the complaint cannot be resolved to the complainant's satisfaction at stage two, or if the manager feels that the complaint is of a very serious nature, or concerns a service leader, then it will be referred to a member of the Executive Leadership Team (ELT).
- 7.3.2 The appeal will not be handled by anyone previously involved in the complaint outcome decision.
- 7.3.3 If the complaint is about the Chief Executive, then the matter will be discussed with two Trustees, including the Chair or the Vice Chair.
- 6.3.4 The ELT member and/or Trustees will acknowledge receipt within **five working days**. They will review the Stage Two investigation and recommend one of the following actions within **ten working days** from the date the complainant requested to escalate the complaint to Stage Three:
- Uphold the action taken at Stage Two
  - Make changes to the Stage Two recommendation/actions
- 7.3.5 The complainant should be informed in writing of the outcome of stage three; the decision reached about this complaint will then be final.

## 8. Unreasonable Complainant Behaviour

We are committed to dealing with all complaints fairly. However, we reserve the right to manage interactions with complainants whose behaviour is considered unreasonable (e.g., persistent, aggressive, abusive or vexatious).

This may include, but is not limited to:

- Limiting contact to a specific person or method.
- Restricting the number of contacts.
- In extreme cases, refusing to engage further with the complaint

## 9. Anonymous Complaints

Complaints received anonymously will be recorded and considered, but action may be limited if further information is required to ensure a full and fair investigation.

## 10. Data Protection

To process a complaint, YMCA North Tyneside will hold personal data about the complainant, which the individual provides and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint.

We process any personal details related to complaints under the lawful basis of legitimate interests to manage and resolve complaints and improve our services, ensuring that information is handled securely and confidentially.

The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances e.g. where relevant legislation or regulatory requirements applied or allegations are made which involve the conduct of third parties.

Complaints files will normally be destroyed in a secure manner six years after the complaint has closed. This record-keeping is vital for:

- Ensuring consistency in handling complaints.
- Identifying recurring issues and trends.
- Facilitating organisational learning and improvement.
- Demonstrating compliance.

## 11. Monitoring of Complaints

11.1 Complaints are an important tool which, alongside data provided by exit surveys, stakeholder surveys, user feedback and focus groups, will allow us to learn about the services we provide.

They provide a useful source of information about how individuals see our services and how we are serving them. To ensure we can learn from complaints the following data will be collected:

- Name and address
- Name of person dealing with the complaint
- Date of complaint and response
- Nature of complaint
- Action(s) taken/recommendations made in response to the complaint
- Lessons learnt

11.2 Complaint information will be considered on a regular basis by the ELT/SLT Team and reported annually to YMCA North Tyneside Board of Trustees. Wherever possible, the data will be used to improve and develop the service.

## 12. Related Policies

- Disciplinary and Grievance Procedure
- Whistleblowing Policy
- Data Protection Policy
- Safeguarding Policy (if applicable)
- Equality, Diversity and Inclusion Policy
- Comments, Compliments and Complaints Policy

## 13. Relevant UK Legislation

This complaints procedure adheres to the principles of various UK legislation and best practices, including but not limited to:

- General Data Protection Regulation (GDPR) and Data Protection Act 2018: Ensuring personal data is handled lawfully, fairly, and transparently.
- Equality Act 2010: Ensuring complaints are handled without discrimination based on protected characteristics.
- Human Rights Act 1998: Ensuring fair treatment and respect for private and family life.
- Consumer Rights Act 2015 (where applicable to services provided): Upholding consumer rights for services.
- The Public Services Ombudsman Act 2007 (for public bodies): While this specific act applies to public bodies, the principles of independent review are relevant for good practice. Other sector-specific ombudsmen or regulators may also be relevant depending on the organization's activities (e.g., Fundraising Regulator, Charity Commission, Housing Ombudsman).

#### **14. Monitoring and Review**

This policy will be reviewed every 3 years or more often if significant changes in legislation, regulations, risks or operations occur or if monitoring reveals a need.

The HR Department will oversee this process, and any necessary updates will be clearly documented, communicated and promptly implemented.

## 15. Appendix

### Appendix A: Complaint Form

#### [Online Form](#)

Please complete this form to help us understand and resolve your complaint.

#### **Your Details:**

- Full Name: \_\_\_\_\_
- Address: \_\_\_\_\_
- Postcode: \_\_\_\_\_
- Email: \_\_\_\_\_
- Phone Number: \_\_\_\_\_
- Preferred method of contact: Email / Phone / Post (please circle)

#### **Details of Your Complaint:**

**Date(s) of the incident(s) / when the issue occurred:**

**Where did this happen?**

**Who is your complaint about (if applicable)?**

**a) Specific staff member(s):**

**b) The organisation's policy/service/action:**

Please describe your complaint clearly and concisely, including all relevant facts. What happened? Why are you unhappy? (Continue on a separate sheet if necessary):

## Appendix B: Complaint Acknowledgement

*To be put onto YMCA North Tyneside Letterhead*

(Complainant's Full Name)  
(Address)

(Date)

Dear (Complainant's Name)

Thank you for reaching out to us. We have received your complaint, which you submitted on [Date of Complaint], and want to let you know that we take your feedback seriously.

Your complaint has been formally logged under the reference number: **[Complaint Reference Number]**.

We will now be looking into the matter fully, following our official complaints procedure. We understand that you are keen to hear back from us and we will do our best to provide you with a comprehensive response within 10 working days. If we need a little more time to ensure a thorough investigation, we will be sure to contact you with an update.

Thank you again for bringing this to our attention. We value your feedback as it helps us to continuously improve our services.

Yours sincerely,

Name  
Job Title  
Contact Details

### **Revisions**

This section details all significant changes and updates made to this policy document.

<b>Revision Number</b>	<b>Date of Revision</b>	<b>Description of Change</b>