

# Essex Wildlife Trust

## Complaints Policy and Procedure

*A policy describes what we do and how we do it as an organisation. It is a set of agreed principles which set out a course of action adopted by our staff and volunteers. It will often include acceptable methods, behaviours, and an approved procedure. It is usually internal, although some organisational policies are expected to be publicly accessible.*

### Version Control

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Version	Date	Changes made by	Reason for change



## 1. Introduction

It is acknowledged that there may be occasions when Essex Wildlife Trust (the Trust) or one of its subsidiary companies does not align with the view of external parties e.g. members, stakeholders or the public over the service it provides or how it has dealt with a particular matter.

The UK Government Charity Commission regulates registered charities in England and Wales, ensuring charities are accountable, well-run and meet their legal obligations. Their guidance to the general public states that individuals should complain directly to the charity first, unless there is suspicion of illegal activity e.g. terrorism or abuse. Serious complaints which require reporting to the Charity Commission include:

- the charity not doing what it claims to do
- losing financial assets
- harming people
- being used for personal profit or gain

This also includes specific Fundraising or Advertising complaints, and access to links for these communications can be found in the Appendices (Section 9).

The Charity Governance Code 2020 was established to help charities and their trustees develop high standards of governance and demonstrate exemplary leadership. The Code is a practical tool to aid with these processes, and Principle 7 is in place to develop a culture of openness within the charity. It states that:

- 1.1 The Board should receive regular reports on the positive and negative feedback and complaints given to the charity. This demonstrates that it learns from mistakes and errors and uses this learning to improve performance and internal decision making.
- 1.2 The Board makes sure there is a transparent, well-publicised, effective and timely process for making and handling a complaint, and that any internal or external complaints are handled constructively, impartially and effectively.

## 2. Scope

This policy sets out the procedures and steps taken when The Trust receives incidences of negative feedback, information indicating an issue of risk, or an official complaint from external parties e.g. users of its services, members, stakeholders or a member of the public. It does not address complaints made by staff or volunteers which are dealt with via separate grievance and disciplinary procedures.

There is a separate policy specifically for use within the Nature Nursery and parent/carer complaints, as there are specific implications concerning reports to Ofsted if relevant.

This policy replaces previous iterations of the Complaints Policy in its entirety and is not therefore considered an update to the previous documentation.

It is anticipated that this policy will be reviewed and updated within the first twelve months of approval due to the planned implementation of a new Customer Relationship Management (CRM) programme.

## 3. Purpose of Policy

This policy is intended to give individuals a route to register comments and complaints, and the reassurance that they will be acknowledged and responded to within a specific timeframe using robust processes. It is also intended to give relevant staff a clear indication of the appropriate staged approach, to ensure the correct individuals are involved at the correct point of the process.

## 4. Definitions

These terms are used throughout this document to clarify the information received and the relevant processes to be followed. They are considered 'internal' definitions and therefore may not be synonymous with definitions used by other organisations.

**4.1 Negative feedback** – this is considered to be information, a rating or comments received following a survey or questionnaire which identifies that services provided did not fully meet the expectations based on the advertised situation. These are considered to be localised and vary dependent on the team and directorate within the Trust.

**4.2 Issue of risk** – this is considered to be a piece of information provided by an external body encompassing an issue with risk, be that physical, reputational or operational, which would require management review and intervention to mitigate. This may be considered a cumulation of a number of reports on the same issue.

**4.3 Incident or Concern** – these terms are used when discussing matters of Safeguarding – see relevant policies listed in the Appendices (Section 9).

**4.4 Allegation** – this is a Safeguarding concern related to a member of staff, volunteer, or contracted member of staff working with children, young people or adults at risk – see section 6.

**4.5 Official complaint** – this term is used for a documented issue formally stated as a complaint, raised and communicated by the complainant in writing (via email or letter) or through an advocate.

Additional definitions:

**4.6 OLT** – the Operational Leadership Team of the Trust, consisting of Heads of Departments within Directorates – for example Finance, Communications, Community Engagement, People and Culture, Nature Discover Centres, Fundraising, Strategy and Impact, Nature Reserves and Natural Capital, Conservation Evidence, Landscapes and Rivers Recovery, Marine and Coastal Recovery.

**4.7 SLT** – the Strategic Leadership Team of the Trust, comprising the CEO (Chief Executive Officer), Deputy CEO and Directors.

## 5. Policy Statement

Essex Wildlife Trust aims to provide services at a standard that is acceptable to all our users. If this does not take place, we want to be made aware, to enable us to not only deal with the specific problem, but to avoid recurrence. This policy sets out who and how to contact if the service received is unsatisfactory or if there is a complaint to be made about the operational or strategic performance of the business.

Feedback comments and issues of risk can be raised via a variety of media, verbally or in writing (preferably via email) and will all be considered and responded to following the decision flow chart and staged approach detailed within this policy.

Official complaints **must** be received in writing either via email or letter, with the preference of email due to monitoring, traceability, access and storage capabilities.

All staff should direct complainants to use the general email address [enquiries@essexwt.org.uk](mailto:enquiries@essexwt.org.uk) so communication can then be forwarded to the relevant member of the Operational Leadership Team. If it is unclear as to where the complaint should be directed, it should be forwarded to the Head of Community Engagement in the first instance.

At all points within this policy where the statement 'in writing' is used, it is intended that this takes the form of email communication.

The information in this policy includes timelines in which acknowledgement of receipt and response will be completed.

A copy of this policy and procedure can be obtained on application to the Essex Wildlife Trust Head Office at Abbots Hall Farm, Great Wigborough, Colchester, Essex, CO5 7RZ.

Email [enquiries@essexwt.org.uk](mailto:enquiries@essexwt.org.uk) or telephone 01621 862960

## **6. Allegations against Staff and/or Volunteers or Contracted Staff**

An allegation covers any concern that relates to a member of staff, volunteer or contracted member of staff working with children, young people or adults at risk whereby they may have:

- Behaved in a way that has harmed, or poses a risk of harm, to a child, young person or adult at risk;
- Possibly committed a criminal offence against, or related to, a child, young person or adult at risk; or
- Behaved in a way that indicates unsuitability to work with children, young people or adults at risk.

Allegations of this type will be responded to according to the detail presented in Section 8.2, Investigation, of the EWT Safeguarding Procedure (see Appendices, Section 9). The Designated Safeguarding Lead will contact the Essex Local Authority Designated Officer (LADO) 03330 139797 or [lado@essex.gov.uk](mailto:lado@essex.gov.uk) within 24 hours who will advise on action required.

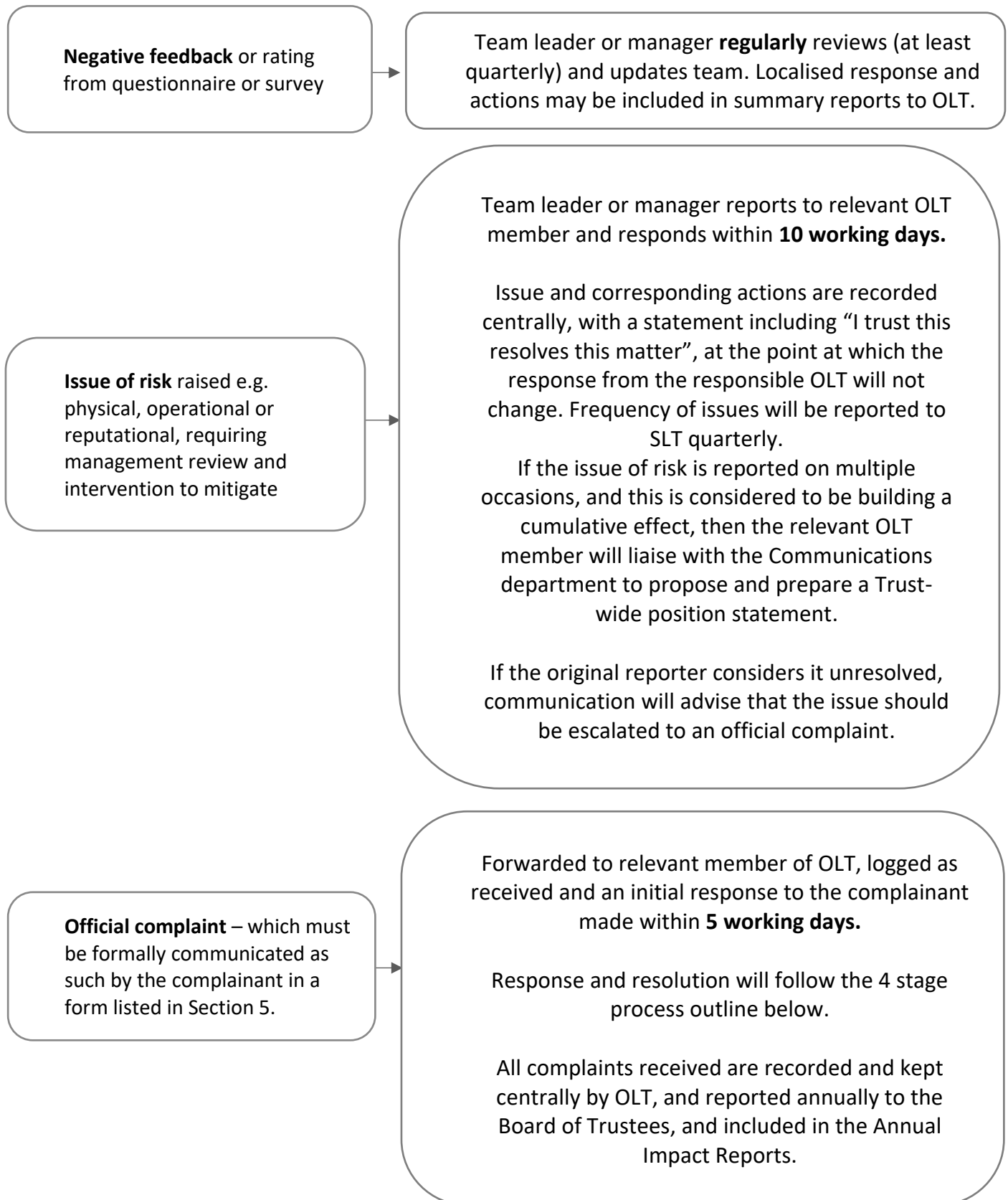
It is not the Trust's responsibility to investigate an allegation against staff, volunteers or contracted member of staff related to safeguarding incidents or concerns. The relevant statutory authority will investigate the allegation and report back to the Trust regarding the outcome and the next steps.

## 7. Procedure

The following information should be used by all staff following initial receipt of communication clarifying as negative feedback, an issue of risk or an official complaint.

### 7.1 Summary of actions, responsibility, reporting and timeframe

All information will be handled following the relevant GDPR policies and procedures.



## Stages of Handling Official Complaints

The following procedures should be followed for an official complaint.

Where the complaint is against the CEO or a trustee, Stage 3 and 4 procedures will be followed (negating Stage 1 and 2), but with the Chair of the Board substituting for the CEO at all stages. If the complaint is against the Chair of the Board of Trustees, an alternative representative from the Board will be selected.

In situations where a verbal complaint has been made, the complainant may be asked to confirm the details of their complaint in writing to aid clarity.

All complaints and associated records will be considered confidential.

### 7.2 Stage 1

- 7.2.1 Within **5 working days** of receipt of the original complaint, the complainant will be invited to discuss the issue with, if appropriate, the relevant member of staff and their line manager, along with the appropriate member of OLT for that area.
- 7.2.2 In addition, a second member of OLT will be included in the meeting.
- 7.2.3 This discussion can be arranged via telephone, an online meeting, or in person, whichever is most appropriate.
- 7.2.4 A record will be made of the conversation, and any resolution. This will be documented in a letter written by the appropriate member of OLT to the complainant.
- 7.2.5 All records will be maintained and controlled centrally and reported to the Board of Trustees as appropriate.
- 7.2.6 If the timeline of 5 working days cannot be achieved, an explanation must be provided to the complainant, including a revised timeline.
- 7.2.7 If the issue is not considered resolved by Stage 1, it will be sent to the relevant member of SLT, and progress to Stage 2.

### 7.3 Stage 2

- 7.3.1 Within **5 working days** of receipt of the progression of the complaint, the complainant will be invited to discuss the issue with the appropriate member of SLT and the OLT representatives.
- 7.3.2 This discussion can be arranged via telephone, an online meeting, or in person, whichever is most appropriate.
- 7.3.3 If the complaint involves a member of staff, the SLT member may hold an additional meeting with that staff member and their line manager if required, before the meeting with the complainant.
- 7.3.4 If at this stage the complaint has not been made officially in writing, the complainant will be requested to do so.
- 7.3.5 If the complainant is not able to put their complaint in writing, they will be offered an interview with the CEO, Deputy CEO or alternative member of SLT. The purpose of the interview will be confined to putting the complaint in writing, obtaining the complainant's approval for the content and signature to confirm this.
- 7.3.6 The complainant may choose to work with an advocate or third party at this stage. If this is the case, the complainant is required to give Essex Wildlife Trust a minimum of 7 working days notice of this fact, indicating who this third party is and in what capacity they will act. If notice is not received and a third party accompanies the complainant to any meeting then that meeting will be deferred to a future date to enable the Trust to take appropriate advice.

- 7.3.7 A record will be made of all discussions, and any resolutions. This will be documented in a letter written by the appropriate member of SLT to the complainant.
- 7.3.8 All records will be maintained and controlled centrally and reported to the Board of Trustees as appropriate.
- 7.3.9 If the timeline of 5 working days cannot be achieved, an explanation must be provided to the complainant, including a revised timeline.
- 7.3.10 If the issue is not considered resolved by Stage 2, it will be sent to the CEO, and progress to Stage 3.

#### 7.4 Stage 3

- 7.4.1 On receipt of a complaint to Stage 3, the CEO must contact the Chair of the Board of Trustees and forward all relevant documentation and correspondence regarding the complaint.
- 7.4.2 If at this stage the complaint has not been made officially in writing, the complainant will be requested to do so.
- 7.4.3 If the complainant is not able to put their complaint in writing, they will be offered an interview with the CEO, Deputy CEO or alternative member of SLT. The purpose of the interview will be confined to putting the complaint in writing, obtaining the complainant's approval for the content and signature to confirm this.
- 7.4.4 The complainant may choose to work with an advocate or third party at this stage. If this is the case, the complainant is required to give Essex Wildlife Trust a minimum of 7 working days notice of this fact, indicating who this third party is and in what capacity they will act. If notice is not received and a third party accompanies the complainant to any meeting then that meeting will be deferred to a future date to enable the Trust to take appropriate advice.
- 7.4.5 The CEO and Chair of the Board will convene a Complaints Panel with at least 3 trustees to consider the complaint. The complainant will be informed within **5 working days** that this action is taking place.
- 7.4.6 If the complaint is against a staff member, the Complaints Panel will contact the individual to inform of this process.
- 7.4.7 Within **21 days** of receipt of the progression of the complaint, the Panel will meet to review any subsequent processes, and may seek further clarification from any involved parties if required.
- 7.4.8 These discussions can be arranged via telephone, an online meeting, or in person, whichever is most appropriate.
- 7.4.9 A record will be made of all discussions, and any resolutions. This will be documented in a letter written by the CEO or Chair of the Board to the complainant.
- 7.4.10 All records will be maintained and controlled centrally and reported to the Board of Trustees as appropriate.
- 7.4.11 If the timeline of 21 days cannot be achieved, an explanation must be provided to the complainant, including a revised timeline.
- 7.4.12 If the issue is not considered resolved by Stage 3, the complainant will be advised to progress to Stage 4.

#### 7.5 Stage 4

- 7.5.1 If the complainant remains dissatisfied by the actions and decisions of the Essex Wildlife Trust's complaints policy and procedures, they will be notified in writing that they may refer the matter to the Charity Commission.

## 8. Recording and Monitoring Complaints

- 8.1 Negative feedback and responses are maintained and discussed locally, but may be included in summary reports or updates to appropriate OLT members.
- 8.2 Issues of risk will be summarised and recorded by OLT members, and summarised to SLT quarterly.
- 8.3 Official complaints will be recorded by OLT members electronically in a central location and reported to SLT and the Board of Trustees quarterly, as well as included in annual records.
- 8.4 Ownership of the procedure and collation of data will be the responsibility of the Head of Community Engagement.

## 9. Appendices

### Web links:

Complain about a charity - GOV.UK ([www.gov.uk](http://www.gov.uk))  
Raising concerns - Charity Commission  
Openness and accountability — Charity Governance Code

This policy is to be read in conjunction with wider Essex Wildlife Trust Policies and Procedures

- 9.1. Safeguarding Children, Young People & Adults at risk policies and procedures Part 1 and 2
- 9.2. Staff Handbook