



BELVOIR CRICKET & COUNTRYSIDE TRUST

*Inspiring children to lead healthy, active lives through sport
and countryside education.*

CONCERNS AND COMPLAINTS POLICY AND PROCEDURES 2024-2027

Date of Board Approval	Author	Next Review	Key Changes
October 17 th 2024	Darren Bicknell	2027	New policy

CONTENTS

Section 1	The Difference between a Concern and a Complaint	Page 2
Section 2	How to raise a concern/complaint	Page 2
Section 3	Anonymous complaints	Page 3
Section 4	Time Scales	Page 3
Section 5	Scope of this Policy	Page 3
Section 6	Resolving Complaints	Page 4
Section 7	Withdrawal of a Complaint	Page 5
Section 8	Formal Complaint Procedure	Page 5
Section 9	Roles and Responsibilities	Page 8
Section 10	Managing Serial or Unreasonable Complaints	Page 11
Section 11	Data Protection	Page 12
Section 12	Related Policies	Page 12
Section 13	Complaint form	Page 13

CONCERNS AND COMPLAINTS POLICY AND PROCEDURES

1. The difference between a concern and a complaint

We define a **concern** as an expression of worry or doubt over an issue considered to be important for which reassurances are sought.

We define a **complaint** as an expression of dissatisfaction about actions taken or a lack of action.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of this policy. The Trust takes concerns and complaints seriously and will make every effort to resolve the matter as quickly as possible.

We understand, however, that there are occasions when people would like to raise their concerns formally. In this case, the Trust will attempt to resolve the issue internally, through the stages outlined within this policy.

2. How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing (letter or email) or by telephone. Contact details:

Chief Executive: Darren Bicknell Belvoir Cricket & Countryside Trust, Belvoir Castle, Grantham, NG32 1PE; darren@bcctrust.org.uk; 07825 992406

Director of Operations: Neil Atkins Belvoir Cricket & Countryside Trust, Belvoir Castle, Grantham, NG32 1PE; neil@bcctrust.org.uk; 07436 263837

Chair of the Board of Trustees: Martin Reason Belvoir Cricket & Countryside Trust, Belvoir Castle, Grantham, NG32 1PE; mark the envelope 'Private and Confidential'.

Concerns should be raised with either the Trust employee in charge of the programme/event at the time the complainant is attending or as soon as possible afterwards or with the Chief Executive. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual Trustees to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 or 3 of the procedure.

Concerns or complaints against Trust employees or volunteers (except the Chief Executive) should be made in the first instance, to the Chief Executive. Please mark as Private and Confidential.

Complaints that involve or are about the Chief Executive should be addressed to the Chair of Trustees, via the Trust office. Please mark as Private and Confidential.

Complaints about the Chair of Trustees, or any individual Trustee or the whole board of Trustees should be addressed to the Charity Commission: [Complain about a charity - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

For ease of use, a template complaint form is included in Section 11. If a complainant requires help in completing the form, please contact the Trust office. Third party organisations like the Citizens Advice to are also available to help.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

3. Anonymous complaints

We will not normally investigate anonymous complaints. However, the Chief Executive or Chair of Trustees, if appropriate, will determine whether the complaint warrants an investigation.

4. Time scales

Complaints must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will only consider complaints made outside of this time frame if exceptional circumstances apply.

5. Scope of this policy

This policy covers all complaints about any provision of community facilities or services by the Trust, except for complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If complainant has serious concerns, he/she may wish to contact the Charity Commission: Complain about a charity - GOV.UK (www.gov.uk)

Whistleblowing	<p>We have a Whistleblowing (Public Interest Disclosure) Code for all our employees, including volunteers, temporary staff and contractors.</p> <p>Volunteer staff who have concerns about our Trust should complain through the Trust's complaints procedure, or, if necessary, through the Whistleblowing procedures.</p>
Staff or volunteers' grievances	Complaints from staff will be dealt with under the Trust's internal grievance procedures.
Staff and volunteers conduct	<p>Complaints about staff will be dealt with under the Trust's internal disciplinary procedures, if appropriate.</p> <p>Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.</p>
Complaints about services provided by other agencies who we may work with	<p>Providers should have their own complaints procedure to deal with complaints about service.</p> <p>Please contact them direct.</p>

If other bodies are investigating aspects of the complaint, for example the police, local authority safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against the Trust in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

6. Resolving complaints

At each stage in the procedure, the Trust wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we *may* offer one or more of the following:

- an explanation.

- an admission that the situation could have been handled differently or better.
- an assurance that we will try to ensure the event complained of will not recur.
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again. and an indication of the timescales within which any changes will be made.
- an undertaking to review school policies in light of the complaint.
- an apology.

7. Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

8. Formal Complaints Procedure

Stage 1

Formal complaints must be made to the Chief Executive (unless they are about the Chief Executive). This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The Chief Executive will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 working days.

Within this response, the Chief Executive will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Chief Executive can consider whether a face-to-face meeting is the most appropriate way of doing this.

Note: The Chief Executive may delegate the investigation to another member of the Trust's senior leadership team (the investigator) but not the decision to be taken.

During the investigation, the Chief Executive (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation. At the conclusion of their investigation, the Chief Executive will provide a formal written response within 10 working days of the date of receipt of the complaint.

If the Chief Executive is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The Chief Executive will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Chief Executive, the Chair of Trustees will complete all the actions at Stage 1.

If the complaint is jointly about the Chair and Vice Chair or the entire Board of Trustees or the majority of the Trustees Stage 1 will be considered by an independent investigator appointed by the Board of Trustees. At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with the Chair of Trustees.

The Chair of Trustees will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within 10 working days.

Within this response, the Chair of Trustees will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. They will then consider all documentation completed during Stage 1 of the process and may wish to investigate further or interview relevant parties involved. The Chair of Trustees can consider whether a face-to-face meeting is then the most appropriate way of moving forward.

During the meeting, the Chair of Trustees will:

- keep a written record of the meeting.
- provide a formal written response within 10 working days of the meeting to conclude matters.

If the Chair of Trustees is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The Chair of Trustees will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 2.

Stage 3

If the complainant is dissatisfied with the outcome at Stage 2 and wishes to take the matter further, they can escalate the complaint to Stage 3 – a meeting with members of the Board of Trustees Complaints Committee, which will be formed of the first three, impartial, Trustees available. **This is the final stage of the complaints procedure.**

A request to escalate to Stage 3 must be made to the Chair of Trustees, via the Trust office, within 10 working days of receipt of the Stage 2 response.

The Chair will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within 10 working days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Chair will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within 30 working days of receipt of the Stage 3 request. If this is not possible, the Chair will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, Chair will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The Complaints Committee will consist of at least three Trustees with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three Trustees available, the Chair will source any additional, independent Trustees of reputable local charities to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 3.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a Trust employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this policy. Complainants will be advised that any staff conduct complaints will be considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least 10 working days before the meeting, the Chair will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible

- request copies of any further written material to be submitted to the committee at least 10 working days before the meeting.

Any written material will be circulated to all parties at least 10 working days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations will not be permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint, and all the evidence presented. The committee can:

- uphold the complaint in whole or in part.
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint.
- where appropriate, recommend changes to the Trust's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and the Trust with a full explanation of their decision and the reason(s) for it, in writing, within 10 working days.

The letter to the complainant will include details of how to contact the Charity Commission if they are dissatisfied with the way their complaint has been handled by the Trust.

If the complaint is jointly about the Chair and Vice Chair or the entire Board of Trustees or the majority of the Trustees Stage 3 will be escalated to the Charity Commission.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions the Trust will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

9. Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with Trust employees in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:
- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information
- analysing information
- liaising with the complainant to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Chair of Trustees or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Chair of Trustees or Complaints Committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Chair of Trustees

The Chair (or a Clerk nominated by the Chair) is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to the Equality Act 2010, the Freedom of Information Act 2000, and the UK General Data Protection Regulations (GDPR) 2018.
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible
- collate any written material relevant to the complaint (for example, stage 1 paperwork, Trust

and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale

- make a written record the proceedings (a Clerk may be used)
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Complaints Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease; this is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or UK GDPR.
- If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting
- both the complainant and the Trust are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted.

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No Trustee may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.
- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the Trust and the complainant
- We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.
- many complainants will feel nervous and inhibited in a formal setting
- Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting
- Careful consideration of the atmosphere and proceedings should ensure that the child/young

person does not feel intimidated.

- The committee should respect the views of the child/young person and give them equal consideration to those of adults.
- If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.
- However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

The welfare of the child/young person is always paramount.

10. Managing serial and unreasonable complaints

The Trust is committed to dealing with all complaints fairly and impartially, and to providing a high quality service to those who complain. We will not normally limit the contact complainants have with our Trust. However, we do not expect our staff or volunteers to tolerate unacceptable behaviour and will take action to protect them from that behaviour, including that which is abusive, offensive or threatening.

The Trust defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with the Trust, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance.
- refuses to cooperate with the complaints investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure.
- insists on the complaint being dealt with in ways which are incompatible with the complaints procedure or with good practice.
- introduces trivial or irrelevant information to be taken into account and commented on.
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales.
- makes unjustified complaints about staff or volunteers who are trying to deal with the issues, and seeks to have them replaced.
- changes the basis of the complaint as the investigation proceeds.
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed).
- refuses to accept the findings of the investigation into that complaint where the Trust's complaint procedure has been fully and properly implemented and completed including referral to the Charity Commission.
- seeks an unrealistic outcome.
- makes excessive demands on Trust time by frequent, lengthy and complicated contact with staff regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with.

- uses threats to intimidate.
- uses abusive, offensive or discriminatory language or violence.
- knowingly provides falsified information.
- publishes unacceptable information on social media or other public forums.

Complainants should try to limit their communication with the Trust that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (either by letter, phone, email or text), as it could delay the outcome being reached.

Whenever possible, the Chief Executive or Chair of Trustees will discuss any concerns with the complainant informally before applying an '*unreasonable*' marking.

If the behaviour continues, the Chief Executive will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the Trust causing a significant level of disruption, we may specify methods of communication and limit the number of contacts in a communication plan.

In response to any serious incident of aggression or violence, we will immediately inform the police and communicate our actions in writing. This may include barring an individual from the Trust's activities.

11. Data Protection

Data will be processed to be in line with the requirements and protections set out in the UK, General Data Protection Regulation.

12. Related Policies

Whistleblowing, Equity, Equality, Diversity and Inclusion, Child Protection and Safeguarding, Codes of Conduct

13. Complaint Form

If choosing to send this form via email, please ensure that you send it as an encrypted document to comply with data protection.

Your name:
Child's name (if relevant):
Your relationship to the child (if relevant):
Your Address Postcode: Day time telephone number: Evening telephone number:
Details of your complaint, including whether you have spoken to anybody at the Trust about it.
What actions do you believe might resolve the problem at this stage?
Are you attaching any paperwork? If so, please give details.
Signature:
Date:
Official use
Date acknowledgement sent:
By who:
Complaint referred to:
Date: