



# Complaints Policy

## National Back Exchange

### Responsible Person

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## 1. Version Control Summary

Date	Version no.	Summary of changes	Consulting group/person
April 2005	1	New policy	NBE Executive S Wells, M Muir
August 2005	1.1	Minor format / content changes	NBE Executive P Leggett
Feb 2007	1.2	Minor format / content changes	NBE Exec M Muir
July 2013	1.3	Minor format / content changes	NBE Exec
May 2018	1.4	Minor format / content changes	NBE Executive Vice Chair
May 2020	1.5	Reviewed - no changes	NBE Executive
Oct 2020	1.6	Removal of NBE address	Vice Chair
Nov 2021	1.7	Reference to Executive Committee changed to Board of Directors	NBE Executive
April 2025	2.0	Reviewed and updated previous complaint policy to support NBE as a Charitable Incorporated Organisation, which came into force 29th March 2023.	S Thornton, Chair K Kemp, Vice Chair M Muir, Publications Director

## 2. Introduction

Receiving feedback and responding to complaints is crucial for improving National Back Exchange (NBE) accountability. Ensuring our stakeholders can hold us to account enhances the quality of our work across all areas.

## 3. Purpose and Scope

This policy allows any NBE member, supporter, partner organisation, community, individual, or member of the public to make a complaint.

NBE follows relevant guidelines to act swiftly, sympathetically, and comprehensively. Concerns about negligence, professional misconduct, financial malpractice, unlawful actions, or endangerment require a formal investigation.

All complaints, whether verbal or written, should receive a full response, aiming to acknowledge concerns, provide explanations, and take remedial action if necessary. Serious issues should be referred to:

- Professional regulatory bodies
- An independent inquiry under section 84 of the NHS Act 1977
- Investigation of a possible criminal offence

This policy does not handle complaints that are the basis of legal proceedings against NBE. If there's a potential negligence claim, the procedure continues unless legal action is intended. In such cases, the NBE Chair of the Board of Trustees will liaise with legal services.

## 4. Definitions

	Complaint	Grievance	Whistleblowing
Definition	A complaint is an expression of dissatisfaction regarding the service, actions, or lack of actions of the NBE Board of Trustees, NBE members, the Association's Administration Team, or associated personnel, where an individual perceives any act, treatment, behaviour, or condition as unfair or unjust	A grievance refers to the legitimate complaint made by NBE Board of Trustees, NBE members, Associations Administration Team regarding unfair or unjust treatment	Whistleblowing is the act of reporting serious concerns about wrongdoing, misconduct or unethical behaviour within the NBE organisation, typically where the issue may impact others or the public interest.
Who can file?	Complainant	Aggrieved	Any individuals with reasonable belief of wrongdoing including NBE members, and other parties.
What is it	An oral or written claim by an individual	Written complaint	An oral or written claim by an individual
Nature	Informal	Formal	Formal
Issue	Minor or Major	Major	Minor major
<b>Please note:</b> Grievance and whistleblowing concerns will be addressed using the relevant published policy.			

## 5. Terms

**Member of National Back Exchange (NBE):** Any individual who is a current member of the organisation. This also includes members of the Board of Trustees.

**Other party:** Non-members related to NBE business or activities i.e., delegates, contractors, exhibitors, advertisers, sponsors.

**Complaint:** An informal or formal complaint, or concern raised by a member or other party regarding any aspect of NBE activities, including but not limited to services, conduct of NBE, NBE member or other party, or violation of NBE policies.

**Complainant:** An individual or entity who registers a complaint.

**Respondent:** The person or party against whom the complaint is directed.

**Informal Resolution:** A confidential process that encourages open dialogue between the complainant and respondent, facilitated by a neutral party (e.g., a mediator or Board of Trustees member) to reach a mutually acceptable resolution.

**Formal Complaint Procedure:** The structured process established by the organisation for addressing formal complaints, involving a series of defined steps and timelines for resolution.

- **Investigation:** The process of gathering information, documentation, and witness statements to support claims or defences related to the complaint or complaint. Conduct interviews to thoroughly examine the facts and circumstances.
- **Arbitration:** A formal process in which an impartial third party, known as an arbitrator, hears the arguments and evidence presented by both parties and renders a binding decision to resolve the complaint or complaint.
- **Resolution:** The outcome or decision reached at the conclusion of the complaint or complaint procedure, which may include actions such as disciplinary measures, corrective actions, or changes in policies or procedures.
- **Appeal:** Either party can challenge the outcome of the complaint or complaint if they believe it to be unfair or unjust. This typically involves a review by an appeals panel. The appeal must be submitted in writing within five working days of receiving the written outcome of the complaint or complaint.

**Confidentiality:** The principle that information related to the complaint process should be kept private and disclosed only to those directly involved in its resolution, to protect the privacy and rights of all parties.

**Retaliation:** Any adverse action taken against an individual or group in response to their filing a complaint or participating in the complaint procedure.

**Whistleblower:** An individual or group who reports illegal, unethical, or improper conduct within the organisation.

## 6. How to Raise a Complaint

Complaint may be raised verbally or in writing. Where a verbal complaint is raised the complainant may be asked to put their complaint in writing. This serves two purposes, a) creates a formal record, and b) avoids misunderstanding of the complaint.

The complaint should contain as much information as possible, including

- Description of allegation
- Dates, times, locations

- Witnesses

To raise a complaint effectively, follow these steps:

- **Consider your complaint:** Take time to identify and understand the issue you wish to raise. Consider the specific details, events, dates, and any relevant witnesses involved in the situation.
- **Choose your approach:** Decide whether you want to raise your complaint verbally or in writing. While verbal communication may be more immediate, putting your complaint in writing creates a formal record and ensures clarity and precision.
- **Prepare your written complaint (if applicable):**
  - **Description of allegation:** Clearly outline the nature of your complaint, providing specific details and examples to support your claim.
  - **Dates, times, and locations:** Include relevant dates, times, and locations of the incidents or events that form the basis of your complaint.
  - **Witnesses:** Identify any witnesses who may have observed or have information about the situation. Provide their names and contact information if possible.
  - **Submit your complaint:** If you choose to raise your complaint verbally, schedule a meeting with the assigned member of the NBE Board of Trustees who will manage your complaint. During the meeting, clearly and calmly articulate your complaint, providing all relevant information and details.
  - **Follow up in writing (if requested):** If you initially raised your complaint verbally and were asked to submit it in writing, promptly prepare and submit a written summary of your complaint to the designated member of the Board of Trustees. Ensure that your written complaint includes all the necessary details outlined above.
  - **Cooperate with the investigation:** Once your complaint has been raised, cooperate fully with any investigation or inquiry conducted by NBE. Provide any additional information or evidence requested, and attend any meetings or interviews as required.
  - **Keep records:** Keep copies of all communications, documents, and correspondence related to your complaint, including any written submissions, emails, meeting notes, and responses received from NBE.
  - **Seek support (if needed):** If you require assistance or support throughout the complaint process, consider contacting union representatives (if applicable), or trusted colleagues for guidance and advice.

## 7. Role and Responsibilities of the NBE Board of Trustees

NBE commits to acknowledging complaints within 10 working days and aims to provide a written response within 28 working days. If the investigation cannot be completed within this period, NBE will inform the complainant of the delay and extend the response time by up to an additional 28 working days.

### Timescales

Complaints must be registered within six months of the incident or within six months of identifying the issue (within twelve months of the incident). NBE may extend this limit if it was unreasonable to expect an earlier complaint or complaint and if an investigation is still feasible.

**Chair:**

- Responding in writing to all written and verbal complaints
- Ensuring that actions recommended in response to a complaint or complaint are implemented.
- Following an appeal, ensuring that action is taken on the recommendations made by an independent Review Panel.
- In the absence of the Chair, the Vice Chair would assume the above responsibilities

**Vice Chair:**

- Manage complaints according to the procedure detailed in the policy's Appendix.
- Reporting on actioned complaints to the Chair and the Board of Trustees

**Secretary**

The Secretary, with the Associations Administration Team, administers the complaints procedure, requiring access to all essential records. Key responsibilities include:

- Maintain a record of complaints received, including a summary of the outcome and the date documentation was filed. These records should be kept for seven years, after which they should be deleted from the organisation's databases.
- Initiating investigations
- Responding to complaints when direct parties are unable or unwilling
- Consulting with those complained against before responding
- Developing and monitoring action plans
- Raising awareness on complaint handling
- Acting as mediator or arranging conciliation
- Consulting with the Membership Director and Board of Trustees
- Attending meetings with complainants
- Keeping contemporaneous detailed records of all complaints.

**8. Audit – Monitoring Process**

Monitoring process	Requirements
Who	<ul style="list-style-type: none"><li>• National Back Exchange Board of Trustees</li></ul>
How	<ul style="list-style-type: none"><li>• As a result of regulatory / statutory changes or developments</li><li>• As a result of NBE policy changes or developments</li><li>• Please read in conjunction with relevant procedural documents</li></ul>
Presented to	<ul style="list-style-type: none"><li>• Board of Trustees</li></ul>
Monitored by	<ul style="list-style-type: none"><li>• Procedural document review group<ul style="list-style-type: none"><li>- Sarah Thornton, Chair</li><li>- Kerry Kemp, Vice Chair</li><li>- Mary Muir, Publications Director</li></ul></li><li>• National Back Exchange Board of Trustees</li></ul>
Completion / Exception report to	<ul style="list-style-type: none"><li>• Extraordinary circumstances beyond the control of National Back Exchange.</li></ul>

## **9. Appendix 1 Complaint Procedure**

### **Acknowledgment of complaint:**

Upon receiving a Complaint, a member of the National Back Exchange (NBE) Board of Trustees will promptly acknowledge receipt within ten working days.

### **Investigation:**

The complaint will be thoroughly investigated by a designated member of the NBE Board of Trustees who was not involved in the issue being complained about.

### **Resolution:**

Once the investigation is complete, the lead investigator from the NBE Board of Trustees will provide the Chair of the Trustees with an investigation report, so the Secretary can provide a written response to the complainant detailing the outcome of the investigation and any actions taken to resolve the complaint or complaint.

### **Escalation:**

If the complainant is not satisfied with the initial response, they may request that the complaint or complaint be escalated to the Board of Trustees Chair for further review by a review panel.

### **Final review:**

The Board of Trustees Chair will conduct a final review of the complaint, taking into account all relevant information and any additional evidence provided by the complainant. The Board of Trustees Chair will provide the complainant with a final written response.

### **External resolution:**

If the complainant remains dissatisfied after exhausting NBE's internal complaint procedure, they may refer their complaint to an appropriate external body, such as the Information Commissioner's Office.

### **Feedback:**

NBE values feedback from complainants and will use any lessons learned from complaints to improve its processes and services. Complainants will be invited to provide feedback on the complaint procedure itself to help identify areas for improvement.



## 10. Appendix 2 Complaint Investigation Process

### **Evaluate the severity and nature of the complaint:**

This will inform the next actions.

Wherever possible informal resolution is the preferred action unless the nature and the severity of the allegations indicate otherwise.

An informal discussion and/or early intervention by a member of the Board of Trustees may be sufficient to resolve a concern raised about conduct. Informal actions can range from a quiet word to a verbal warning. If a verbal warning is received, this will be confirmed in writing and include:

- the reason for the warning.
- the standards expected.
- any other actions required.
- details of the consequences if there are further concerns about conduct.

A record of an informal warning will not be held on file for a period of seven years and thereafter deleted from the organisations databases.

Where the complaint allegation is severe, the concern will be managed under a formal procedure.

### **Designated investigator:**

A designated member of the Board of Trustees, or panel, who are impartial will be assigned to conduct the investigation. This will not include the Board of Trustees Chair or Vice Chair

### **Review documentation:**

All relevant documentation related to the complaint, including any written complaints, witness statements, policies, and relevant correspondence will be collated by the Board of Trustees secretary.

### **Interview complainant:**

A confidential meeting with the complainant will be arranged to discuss the details of the complaint.

The confidential meeting will allow the complainant to provide a full account of their concerns and any supporting evidence.

Subsequent to the confidential meeting the complainant will be provided with a non-verbatim written account of the interview to verify.

### **Interview witnesses:**

A confidential meeting with any identified witnesses who may have relevant information regarding the complaint will be arranged.

Witnesses are encouraged to provide an honest and impartial account of what they observed.

Subsequent to the confidential meeting the witness will be provided with a non-verbatim written account of the interview to verify.

**Interview respondent:**

The designated investigator(s) will schedule a separate meeting with the respondent(s) named in the complaint.

This confidential meeting will allow the respondent(s) to respond to the allegations and provide their perspective on the situation.

The respondent may indicate other witnesses to be interviewed.

Subsequent to the confidential meeting the complainant will be provided with a non-verbatim written account of the interview to verify.

**Review evidence:**

The designated investigator(s) will evaluate all evidence collected during the investigation, including documentation, witness statements, and any other relevant information.

**Corroborate facts:**

The designated investigator(s) will cross-reference information obtained from various sources to ensure consistency and accuracy.

The designated investigator(s) will verify facts and statements where possible to establish a clear understanding of the situation.

**Analysis and conclusion:**

The designated investigator(s) will analyse the evidence gathered and assess its relevance to the allegations made in the complaint.

The designated investigator(s) will formulate conclusions based on the findings of the investigation, determining whether the allegations are substantiated or unsubstantiated.

**Prepare investigation report:**

The designated investigator(s) will document the findings of the investigation in a comprehensive report.

The report will include a summary of the complaint, detailing the investigation process, findings, and any recommendations for resolution.

**Communicate findings:**

The designated investigator(s) will present the investigation report to the appropriate parties, including the complainant and respondent(s), in a timely and sensitive manner. identified members of the Board of Trustees or designated parties as agreed.

The designated investigator(s) will provide an opportunity for both parties to respond to the findings and offer input on potential resolutions.

**Implement remedial actions:**

If the investigation identifies areas for improvement or corrective action, identified members of the Board of Trustees or designated parties as agreed, will work with relevant stakeholders to implement appropriate remedial measures.

Identified members of the Board of Trustees or designated parties as agreed, will monitor the effectiveness of any remedial actions taken to address the issues raised in the complaint or complaint.

**Closure and follow-up:**

Once all necessary steps have been completed, and remedial actions implemented the investigation process will close.

Follow-up reviews will be conducted as necessary to ensure that the issues raised in the Complaint have been adequately addressed and resolved.

**Maintain documentation:**

Detailed records of the investigation process, including all documentation, correspondence, and decisions made, will be retained for a period of seven years future reference and accountability purposes. At the end of the seven-year period, the related documentation will be destroyed in line relevant guidelines.

## 11. Appendix 3 Notification Form

Name of Complainant:

Address:

Tel. No:

Email:

Complaint taken by:

Date:

Time:

Details:

Action Taken:

## 12. Appendix 4 Action Plan

The complaint identified below requires an action plan. Please complete and return to the Secretary – Board of Trustees.

Complaint Name

Complainant

Date received

Name (if different from complainant)

Brief Summary of Complaint:

Indicate what action will be taken to prevent recurrence of complaint and/or improve quality.

Action Implementation date

By whom

Action Implementation date

By whom

Action Implementation date

By whom

Signature:

Designation:

Name (print):

Date:

### 13. Appendix5 Audit / Monitoring

Action Date of Audit Comments

Further Action Needed:

Audited by:

Date:

Signature: Name (print):