



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
July 2026	2.1	Minor format / content changes	S Thornton, Chair K Kemp, Vice Chair M Muir, Publications Director
August 2026	2.2	Added clarification on evidence requirements and investigation standards. Minor formatting and wording amendments	S Thornton, Chair K Kemp, Vice Chair M Muir, Publications Director

2. Introduction

National Back Exchange (NBE) values feedback and complaints as an important source of information and learning. They help us remain accountable to our stakeholders, identify areas for improvement, and ensure we maintain high standards across all aspects of our work.

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.

NBE will consider all complaints received. However, where a complaint contains insufficient detail, consists primarily of opinion, speculation, hearsay, anonymous allegation, or cannot reasonably be supported by verifiable information, NBE reserves the right to decline a formal investigation or to discontinue an investigation until further information is provided.

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 considers 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 allegation, concern, or claim supported by factual information and evidence, rather than opinion, assumption, speculation, or hearsay.	Written complaint supported by factual information and evidence, rather than opinion, assumption, speculation, or hearsay.	An oral or written claim by an individual, supported by factual information and evidence, rather than opinion, assumption, speculation, or hearsay.

4. Definitions *continued*

	Complaint	Grievance	Whistleblowing
Nature	Informal	Formal	Formal
Issue	Minor or Major	Major	Minor major
Please note: 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. 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.
- **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.

Confidentiality: The principle that information related to the complaint process must 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

Complaints 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.

Evidence requirements: Complaints must be supported, wherever possible, by factual, accurate and verifiable information. The absence of documentary evidence will not prevent a complaint from being considered, provided sufficient information is available to enable an investigation

The complainant must provide, wherever possible:

- A factual description of the incident, event, behaviour, or concern being reported.
- Relevant dates, times, and locations.
- The names of individuals involved.
- The names of any witnesses and, where available, witness statements, will be considered as part of the overall evidence available and assessed for relevance, credibility and consistency
- Copies of any supporting documentation or evidence, including correspondence, records, photographs, messages, reports, or other relevant material.

Allegations must be based on facts that the complainant reasonably believes to be true and, wherever possible, supported by evidence. Unsubstantiated allegations, personal opinions, assumptions, interpretations, speculation, and hearsay will carry limited or no evidential weight during the investigation. Where personal views or beliefs are included, they must be clearly identified as opinion and distinguished from fact.

NBE will assess complaints on the basis of the evidence available and the extent to which allegations can be supported by verifiable facts. Complaints that lack sufficient detail, contain inaccurate information, rely primarily on opinion, or cannot reasonably be substantiated will limit the organisation's ability to investigate the matter fully or take further action.

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 to raise your complaint verbally in the first instance. Followed up in writing to create a formal record and help ensure clarity and accuracy. The responsibility for providing sufficient information to enable an investigation rest with the complainant. NBE is not responsible for obtaining evidence that is reasonably available to the complainant.
- **Description of allegation:** Clearly outline the nature of your complaint, providing specific details and factual, evidence-based examples to support your concerns. Allegations must be based on facts that the complainant reasonably believes to be true and, wherever possible, supported by evidence. Unsubstantiated allegations, personal opinions, assumptions, interpretations, speculation, and hearsay will carry limited or no evidential weight during the investigation. Where personal views or

beliefs are included, they must be clearly identified as opinion and distinguished from fact.

- **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:** Submit your complaint to the Secretary of the Board of Trustees secretary@nationalbackexchange.org.
- **Cooperate with the investigation:** Following submission of a complaint, the complainant must cooperate fully with any investigation, inquiry, or review conducted by NBE. This may include providing further information or supporting evidence upon request and attending meetings or interviews as necessary to facilitate a thorough and fair investigation.
- **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

A complaint 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 in accordance with Appendices 1-5 of this policy. Following completion of an investigation, determine whether an Action Plan (Appendix 4) is required. An Action Plan must be completed where a complaint is upheld, in whole or

in part, or where improvements, corrective actions, or preventative measures are identified to mitigate the risk of recurrence.

- 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 will be kept for seven years, after which they must 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	• National Back Exchange Board of Trustees
How	• As a result of regulatory / statutory changes or developments • As a result of NBE policy changes or developments • Please read in conjunction with relevant procedural documents
Presented to	• Board of Trustees
Monitored by	• Procedural document review group - Sarah Thornton, Chair - Kerry Kemp, Vice Chair - Mary Muir, Publications Director • National Back Exchange Board of Trustees
Completion / Exception report to	• Extraordinary circumstances beyond the control of National Back Exchange.

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 Board of Trustees Chair with an investigation report. The Chair will then ensure that the Secretary provides a written response to the complainant detailing the outcome of the investigation.

Escalation:

If the complainant is not satisfied with the initial response, they may request that the 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 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.

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 factual, accurate and verifiable information or evidence. Personal opinions, assumptions, beliefs, speculation, interpretations, hearsay, and unsubstantiated allegations will not be treated as factual 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 respondent 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.

Investigators may assign reduced evidential weight, or no evidential weight, to information that cannot be corroborated, is inconsistent, originates from unidentified sources, or is based solely on opinion, belief, assumption, speculation, or hearsay.

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.

Investigators will make findings based on the balance of probabilities, determining whether it is more likely than not that an event occurred. Findings will be based on available evidence and corroborated facts rather than opinion, perception, assumption, speculation, or unsupported allegation.

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.

Consideration of action plan:

The investigator(s) must consider whether the findings require corrective action, service improvement, policy amendment, or other preventative measures. Where such actions are identified, an Action Plan (Appendix 4) must be completed and monitored through the Audit/Monitoring process (Appendix 5).

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.

All correspondence must be treated as confidential and must not be discussed outside the relevant group.

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 for 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

An Action Plan must be completed when a complaint investigation identifies actions required to address findings, prevent recurrence, or improve NBE services, processes, or governance. The complaint identified below requires an Action Plan. Please complete and return it to the Secretary of the 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. Appendix 5 Audit / Monitoring

Action Date of Audit Comments

Further Action Needed:

Audited by:

Date:

Signature: Name (print):