

# Complaints Policy

## Scope:

This procedure applies to concerns raised by stakeholders in the Trust's activities – including applicants, trustees, donors and others involved in the Trust's work.

The procedure does *not* apply to:

- Whistleblower complaints (See the Whistleblowing Policy)
- Grievances raised by employed staff (See the Staff Grievance Procedure).

## Introduction:

The Trust is committed to providing a mechanism for dealing with complaints fairly and in a timely manner. Complaints are expected to be rare and should be dealt with as quickly as possible. All complaints (other than Serious Complaints which have been submitted to the Charity Commission) should be sent in the first instance to the Administrator.

The Trust is also committed to treat complainants with dignity and respect throughout but has a duty of care towards its trustees and the Administrator. Abusive or threatening behaviour from complainants will not be tolerated, and may, with the approval of the Co-Chairs, result in the complainant being blocked from contacting the Trust by email. Where necessary, the Co-Chairs may refer abusive or threatening behaviour to the police.

## 1. Complaints and Appeals from Applicants

- 1.1. Complaints and appeals from applicants will only be considered if made *either* on the grounds of an administrative error by the Trust in processing their application, *or* if there is new information which could not reasonably have been provided before but could have changed the decision on eligibility or scoring of the application. Non-receipt of an application (confirmed through checking our email server) does not count as an administrative error by the Trust. An applicant has 25 working days from being notified of their ineligibility or unsuccessful application to lodge a complaint. Complaints after this time will not be considered, except in exceptional circumstances, as determined by the Chair/Co-Chairs.
- 1.2. The Trust has clearly defined criteria for accepting applications, and these are available to all potential candidates via the website and in the *Notes for Applicants* produced for each annual grant round. The Administrator assesses applications against these criteria, discussing with the Co-Chairs if in doubt, and where they are ineligible they will, after the grant round has been completed, be sent a generic email by the Administrator explaining that the application was not successful. This email explains we are unable to enter into discussion about individual applications.
- 1.3. If nonetheless an applicant challenges the eligibility or scoring assessment, the Administrator reviews the evaluation based on such additional information as is provided and seeks advice from the Co-Chairs. Where there are no grounds for revising the decision, a second email is sent confirming the decision. In this case, the Trust will not enter into any further correspondence with the applicant. If however, there are grounds for a revised decision, the application is referred to the Co-Chairs for final review and the outcome

communicated to the applicant.

- 1.4. Of those applications which meet the eligibility criteria, the first 300 received are reviewed by the trustees. Funding decisions are made based on review of each application by three trustees working independently of each other. Unsuccessful applicants are informed by email. Decisions made by the trustees are final and, unless the Trustees consider that there are exceptional circumstances, the Trust will not review funding decisions for unsuccessful applicants.
- 1.5. All complaints received from applicants are reviewed annually by the trustees at a Board Meeting, and if necessary the Administrator and Co-Chairs will make recommendations for amendments to the guidelines and the funding criteria. Any changes to the guidelines will be reflected in the '*Guidelines for Assessing Applications*' which is made available to trustees.

## **2. Concerns from trustees relating to the Conduct of the Trust**

- 1.1 For 'Whistleblower' concerns, please see the Whistleblowing Policy. (To be covered by whistleblowing law, someone who makes a disclosure must reasonably believe two things: first, that they are acting in the public interest which means in particular that personal grievances and complaints are not usually covered; second, that the disclosure tends to show past, present or likely future wrongdoing.)
- 1.2 For other concerns, if a trustee has concerns about the conduct of the Trust, s/he should refer these in writing to the Co-Chairs or, if one of the Co-Chairs is perceived to be conflicted, to the other Co-Chair. The Co-Chair is required to take the appropriate action to address any such concerns.

## **3. Complaints Procedure**

- 3.1. A trustee may have a problem or concern with their individual work, working conditions or relationships with other trustees or employees of the Trust. Such concerns are best dealt with informally through the Co-Chair ; however, the formal procedure below is in place to handle cases left unresolved. Pursuing the formal route should be a last resort rather than the first option.
- 3.2. Where it is not possible to reach resolution informally, the complaint may be raised as formally as follows.
  - The complaint should be summarised in writing within 7 days of failure to reach informal resolution and a Complaint Hearing with a Co-Chair convened within 14 days unless there are circumstances that would prevent this. The complainant has the right to be accompanied by another trustee of the Trust.
  - At the hearing, the complainant should summarise the complaint, provide relevant evidence and outline ideas for resolution. If necessary, the hearing may be adjourned to carry out an investigation. The hearing will be re-convened as soon as possible, and the complainant informed of the decision. The decision will be confirmed in writing, identifying the person to whom any appeal should be addressed, this being someone who was not involved in the hearing.
  - If the complaint is upheld, the Trust will take action if appropriate and the complainant advised accordingly. If the complaint is not upheld or it is found that there is not enough

evidence to support further action, the Trust will confirm that no further action will be taken.

- The complainant has the right to one appeal against the decision which should be made in writing within 10 days of receiving the written decision. The complaint appeal hearing will be convened as soon as possible by a trustee appointed by the Co-Chairs to hear the appeal and he or she will then reverse or confirm the decision. Within 7 days of the appeal, written confirmation of the final decision will be provided.
- If the complaint is upheld, the Trust will take action if appropriate and the complainant will be advised accordingly. If the complaint is not upheld or it is found that there is not enough evidence to support further action, the Trust will confirm that no further action will be taken. The decision reached exhausts the internal Complaints Procedure.

#### **4. Other Complaints**

4.1. Complaints other than those covered above should be raised in the first instance with the Administrator, who will refer the matter to a trustee (normally the Co-Chairs unless they are perceived to be conflicted). They in turn will review the complaint, respond to the complainant, and report the matter to the next Meeting of Trustees.

4.2. Any individual who has serious concerns about the Trust, for example if they believe it is:

- not doing what it claims to do
- losing lots of money
- harming people
- being used for personal profit or gain
- involved in illegal activity

may decide to report these concerns to the Charity Commission. An online form is available at: <https://forms.charitycommission.gov.uk/raising-concerns/> .

#### **5. Making this policy available**

5.1 This policy will be published on our website.

5.2 A copy will be made available to anyone contacting the Trust to expressly make a complaint.

*(For the avoidance of doubt, in order to trigger the sending of the policy, the person making contact would need to go beyond expressing disappointment about an unsuccessful application or extremity of his/her need for funding, and would need to state or imply that the Trust's decision was improper in some way and/or use the word 'complain/t').*

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