

McCARTHY STONE FOUNDATION

The McCarthy Stone Foundation is a registered Charitable Incorporated Organisation (CIO) in England and Wales No. 1191504

COMPLAINTS POLICY

Policy Governance	
Policy Owner	Board of Trustees
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Policy Location	McCarthy Stone Foundation Website
Policy Contact	Graeme Marsh – Foundation Manager

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1. Introduction

The McCarthy Stone Foundation ('the Foundation') strives to provide a professional, respectful and timely service in all our interactions with stakeholders and is committed to adhering to the best practice in fundraising and operating policies and procedures.

If you believe you have experienced a service or conduct that is below standard or wish to make a complaint in relation to our fundraising or charitable activity, you can use this complaints policy, which describes how to make a complaint and how it will be handled.

Please note, the McCarthy Stone Foundation is an independent registered charity, and cannot deal with any matters pertaining to McCarthy Stone Ltd. Complaints related to the company cannot be processed by the Foundation and are not covered within the scope of this policy.

If you are unhappy or uncomfortable with any aspect of the service you have received from McCarthy Stone Ltd, you can find information and options on the company website at www.mccarthystone.co.uk

2. Aim and purpose

The Complaints Policy aims to:

- Provide a fair and transparent complaints procedure
- Facilitate anyone, including members of the public, to fairly and equitably express dissatisfaction or concern about any aspect of the Foundation's work or conduct or the work or behaviour of an individual or individuals working for or on behalf of the Foundation, including the Foundation's fundraising activity
- Publicise the existence of the complaints procedure so that people know how to contact the Foundation to make a complaint
- Ensure Foundation staff know what to do if a complaint is received
- Provide information on the procedure to be followed both by complainant and respondent
- Ensure all complaints are investigated fairly and in a timely manner
- Ensure that complaints are, wherever possible, resolved in a satisfactory manner. Use any complaints received as a learning experience to improve the work of the Foundation.

The Foundation is a member of the Fundraising Regulator and, as such, complies with the Code of Fundraising Practice.

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3. Definition of a complaint and policy scope

A complaint is any expression of dissatisfaction about the Foundation's work or conduct, or the conduct or behaviour of Foundation staff, trustees, or volunteers.

The scope of this policy relates to:

- The conduct of a Foundation employee
- The conduct of a Foundation trustee, volunteer or representative who is performing duties on behalf of the Foundation
- A third-party performing duties on behalf of the Foundation, such as a fundraising agency, contractor or supplier
- Actions of the Foundation governed by its legal duties
- Actions of the Foundation governed by its Constitution, Foundation Regulations, or Charity Code of Governance
- Actions of the Foundation governed by its policies or procedures.
- Actions of the Foundation associated with our fundraising activity. In such circumstances, specifically related to fundraising, where you are not satisfied with the response received from the Foundation, you still have the option of reporting concerns to the [Fundraising Regulator](#)

4. How to make a complaint

To make a complaint, please email the Foundation Manager Graeme Marsh on graeme.marsh@mccarthyandstone-foundation.org.uk ensuring you include the following information:

1. Details of the nature of your complaint, including where relevant, names and dates and /or the Foundation policy, process or Regulation not followed
2. Available evidence to substantiate your complaint either within your email or as an attachment
3. The remedy you are seeking in relation to your complaint
4. Your name, address and daytime telephone contact number

Complaints can also be submitted by writing to the Foundation at the address below:

McCarthy Stone Charitable Foundation
4th Floor, 100 Holdenhurst Road
Bournemouth
BH8 8AQ

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If your complaint relates to the Foundation Manager, please write to the Chair of the Board of Trustees at the above address.

Complaints should be submitted as soon as possible after the relevant incident. Ordinarily this is within a month so that the Foundation can effectively investigate and identify any remedy. However, we understand that there may be circumstances, including the nature of the alleged incident, where an individual needs time and support to come forward and the Foundation will always respect this need. Complaints made in public forums or on social media will be investigated by the Foundation and details might be requested.

5. How your complaint will be managed

Stage 1

We will acknowledge your complaint within 24 hours of its receipt.

Stage 2

Within 14 working days of receiving your complaint, we will confirm whether it falls within the scope of this policy and the appropriate next steps.

Complaints which relate to the conduct of a Foundation member whilst delivering work not directly associated with Foundation activity, will in the first instance need to be raised and processes concluded locally, before the Foundations Complaints policy can be invoked.

Stage 3

An appropriately trained member of Foundation staff or a trustee will be appointed as the Investigating Manager by the Trustee Board, and will gather the facts relevant to the complaint, ensuring that the information gathered is accurate and complete. The Investigating Manager may invite you to a meeting to discuss your complaint in person.

Stage 4

Following completion of their investigation, the Investigating Manager will respond in writing to confirm the investigation outcome and the reasons for either upholding or rejecting the complaint. Where the Foundation has upheld a complaint and proposes a remedy, all individuals affected will be contacted to discuss this further. Remedies might include (but are not exclusive to):

For Trustees or Volunteers:

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- To be asked to offer an apology
- Referral to the Foundation's Board of Trustees for further action in line with current policies around Codes of Conduct.

For staff:

- To be asked to offer an apology
- Informal warning via the staff Disciplinary procedure
- Formal warning via the staff Disciplinary procedure
- Gross acts of misconduct may lead to termination of employment via the staff Disciplinary procedure

For general Foundation activity:

- A representative of the Foundation to offer an apology
- A review of our position
- Issuing a remedy statement

In addition, if the complaint is upheld, the action taken, and the lessons learned or to be learnt will be formally recorded by the Foundation Manager in the Foundations complaints register (annually reported to the Board of Trustees).

6. Taking your complaint outside of the Foundation – Fundraising

If your complaint is about our fundraising work or activities and you are not satisfied with our response, you are entitled to take it to the Fundraising Regulator.

As a member of the Fundraising Regulator, the Foundation is committed to abiding by any decision they reach on complaints that are escalated to them.

Their contact details are:

- The Fundraising Regulator, 2nd floor CAN Mezzanine Building, 49-51 East Road, London, N1 6AH
- Website: www.fundraisingregulator.org.uk
- Telephone: 0300 999 3407
- Email: enquiries@fundraisingregulator.org.uk

Respondent

If the complaint is about an individual (the 'respondent'), rather than the organisation, that person has the right to know that a complaint has been lodged. The Foundation will ensure

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that the respondent is aware of the process of managing the complaint and what support and advice is available at each stage of the complaint, including how and when the respondent will be given the opportunity to respond to the complaint via the Investigating Manager. The respondent will also be informed of the possible sanctions available. The Foundation will ensure that at no stage will the rights of anyone involved in the complaint be infringed.

If the complaint is in scope, related to an individual (respondent) and deemed of a serious enough nature to warrant consideration of suspension of duties, the Foundation Chair of Trustees will make a decision regarding temporary suspension of official Foundation duties whilst the investigation is ongoing.

7. Appeal

The following process applies both to the person making the complaint and the respondent, i.e. the person about whom the complaint has been made.

If you are unhappy about the outcome of the complaint, you can request a review within ten working days of receiving the Foundation's response to the complaint. You must provide sufficient new and relevant evidence to substantiate your appeal. This could include evidence that the Foundation did not follow its protocol in the initial investigation. The Foundation cannot review a decision with which you disagree if there is no new evidence to consider.

Note: For complaints about the Foundation's fundraising, where you are not satisfied with the response received from the Foundation, you still have the option of reporting concerns to the [Fundraising Regulator](#).

Stage 1

Your request for a review will be acknowledged within 5 working days of receipt.

Stage 2

Within 14 working days the Foundation will confirm whether sufficient further evidence has been provided in order for this to be considered as part of a review of the complaint.

Stage 3

A different Foundation Investigating Manager, appointed by the Chair of Trustees, who has not been involved in any aspect of your complaint, will consider your request for a review and respond to you with reasons for either upholding or rejecting your review. Where the Foundation has proposed a remedy, you will be contacted about this. In addition, if the review is upheld, the action taken, and the lessons learned or to be learnt will be formally recorded by the Foundation Manager.

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8. Confidentiality

Your complaint and all accompanying documentation will be kept confidential as far as is possible in facilitating a fair and thorough investigation. The privacy rights of all the individuals concerned and any potentially confidential information will be respected and upheld; this needs to be balanced with:

- The need for an open and fair investigation, including contacting the person against whom a complaint has been made for a response where appropriate
- Appropriate remedial action to be taken
- The outcome of the investigation to be reported appropriately
- Action to be taken to improve our processes and quality of service

The Foundation will endeavour to anonymise complainants when considering complaints. However, it will occasionally be necessary to disclose a complainant's identity beyond the Investigating Manager to progress an investigation. Complainants who are not willing for their identity to be disclosed in this way should make this clear in their letter of formal complaint.

The Foundation will take all necessary steps to support all parties involved in a complaint and undertake all investigations sensitively and expediently.

Complainants are assured that they can raise matters of legitimate concern through this policy without risk of disadvantage or criticism.

9. Data retention

All materials relating to your complaint will be kept on active file for six years from the date of conclusion of your complaint and will then be destroyed.