

Complaints Policy

March 2026

STATUS: APPROVED

Our Strategic objectives relating to young people with high learning potential, their parents and carers, and their schools:

- *Empowering Young People*
- *Empowering Parents*
- *Creating a Community*
- *Advocating for Needs and Rights*
- *Strengthening our sustainability and effectiveness*



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1. Overview / Purpose

The aims of this policy are to ensure that Potential Plus UK:

- Complies with all legal requirements, including the Data (Use and Access) Act 2025
- Consistently provides the highest quality of service possible
- Takes a positive, proactive approach when dealing with complaints
- Uses complaints as opportunities to inform and improve policy and practice
- Minimises the risk to reputational damage by skilful, swift handling of complaints, including following up with the complainant to explain what action has been taken

2. Scope

- All employees, volunteers, casual workers and Trustees are responsible for ensuring that the spirit and the letter of the complaints policy are followed
- Complaints of all kinds are covered by this policy, e.g. complaints -
 - By a family or school member, or by a member of the public about any aspect of the charity or a representative of the charity
 - By an employee, casual worker, volunteer or Trustee made about a colleague
 - By a member complaining about another member
 - About written materials, e.g. website content, advice sheets, assessment reports
 - About a service, e.g. a workshop or event
- Data Protection complaints including but not limited to:
 - a data breach
 - Potential Plus UK's response to a Data Subject Access Request
 - how long data is kept, used, its storage or accuracy
 - how someone has been profiled

3. Definitions

- **Complaint** refers to issues which result in the complaints procedure being followed when a formal complaint is received. It does not refer to negative feedback or issues causing dissatisfaction that do not result in a formal complaint and are resolved informally
- **Information Commissioner's Office (ICO)**: public body which upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

4. Policy

4.1 Complaints from members, partner organisations and from staff

- Complaints or issues of concern raised by individuals inside or outside the organisation must be taken seriously and responded to quickly and positively

- Data Protection complaints will be processed differently to non-Data Protection complaints (please see Appendix A and Appendix B for details)
- Complaints about data handling must comply with the Information Commissioner's Office (ICO) Official Guidance (See Appendix B)
- The complaints procedure must be open and easily accessible via the website, or in the Global Folder for employees, volunteers, casual workers and Trustees
A feedback email address to receive potential complaints will be available on the website
- When a dissatisfaction is expressed, Potential Plus UK will determine if the issue can be resolved without resorting to the Complaints Procedure and collect the information needed to determine next steps in line with this policy
- All complaints must be handled confidentially and shared only with those people involved
- Where possible, and always for data protection complaints, the complainant should be informed of action resulting from the complaint
- Complaints must be viewed as learning opportunities and action taken to improve practice

4.2 Complaints made on someone's behalf

An individual may make a complaint on someone else's behalf. Potential Plus UK will need to make sure they are authorised to do so, e.g. a signed letter of authority. If there is no evidence a third party is authorised to act on someone's behalf, we aren't required to investigate a complaint but should respond explaining this.

4.3 Complaints from, or on behalf of, children

If Potential Plus UK receives complaints from children, or on their behalf, we will:

- address them in plain, clear language that they can understand at all stages of the process
- have procedures in place to take swift action where they provide information indicating there is an ongoing safeguarding issue.

4.4 The outcomes of investigations

- Where an investigation has been carried out, the following outcomes may apply:
 - no substance has been found for the complaint, therefore no action will be taken
 - there has been a minor infringement of good practice which will be dealt with by supervision and training
 - there has been a serious infringement resulting in the member of staff/volunteer will be given a formal warning
 - conduct has been seriously unsatisfactory requiring dismissal/removal from the service subject to employment law and other legislation

- At the discretion of the CEO, complainants may be offered -
 - A full or part refund
 - An alternative service free of charge
 - A verbal or written apology
 - Where possible, withdrawal of an item so it can be reviewed, e.g. a factsheet
 - A discussion to determine what the complainant is seeking

4.5 The right to appeal

- Members of staff and volunteers have the right to appeal against recommendations made
- Data protection complainants must be informed of their right to appeal and given contact details for the ICO when reporting to them on the completed investigation and outcome.
- For other complaints, appeals, with clear reasons for the dissatisfaction, must be made in writing to Potential Plus UK within 30 working days of the date of the decision.
- Appeals will be assessed by the CEO to determine what further investigation (if any) is necessary. If the CEO has already been involved in the complaint, the Chair of Trustees will assess the appeal
- The CEO may choose to appoint an independent investigator at this stage
- Following any further investigation, a report and recommendations will be produced for the Board of Trustees outlining which outcome is applicable:
 - that the original decision should be upheld
 - that the original decision should be rescinded
 - that the original decision should be revised and a more/less severe sanction be imposed.

4.6 Complaints against a member of the Board of Trustees or the Chief Executive

- In a complaint is made about a Board member, they will take no part in the Trustee discussions or decisions relating to the complaint
- If a complaint is made about the CEO, the Chair of Trustees will carry out the roles and responsibilities assigned to the CEO in this policy, along with a second nominated Trustee in case of an appeal or similar issue
- If a complaint is made about the Chair of Trustees, the Deputy Chair of Trustees plus a nominated trustee will carry out the roles outlined for the CEO in this policy

4.7 Whistleblowing

- Members of staff and volunteers have the right to make a complaint about a colleague, and this must be viewed positively and proactively. They should not be harassed or discriminated against for raising the issue.
- If it cannot be dealt with informally, the CEO should follow the procedures in this policy

5. Monitoring and Reporting

On receipt of a complaint, the CEO will:

- Acknowledge receipt of the complaint within 5 working days (30 days for Data Protection)
- Keep a record of complaints and look for patterns to inform development needs
- Report complaints to the Board of Trustees and outline the action taken, annually
- If the complaint is serious enough to risk causing immediate harm to the reputation of the charity, the Chair of Trustees must be informed immediately

The Board of Trustees will:

- Receive an annual report of complaints and ensure that action has been taken to remedy potential risks to the quality of service or to reputational damage

6. Training

- Induction for employees, casual workers, volunteers and Trustees must include information about this policy, data protection systems and what to do when a complaint is made
- The CEO will ensure that employees, casual workers and volunteers are reminded of their responsibilities regarding complaints annually

7. Roles and Responsibilities

The responsible member of staff must:

- Be responsible for receiving complaints and acknowledging receipt within the timeframe
- If evidence or additional information is needed, such as reference numbers or proof of ID, the responsible member of staff should ask for this at the earliest opportunity.
- If it isn't clear what the complaint is about, the responsible member of staff will ask for more information as quickly as possible. This helps to identify which enquiries are needed.
- It may help to ask what outcome the complainant is looking for to help narrow the scope of the investigation and to resolve the complaint quickly, e.g. do they want us to alter a decision we've made, apologise for a mistake, issue a refund or change our processes?
- Refer the complaint to the CEO who will determine next steps

The Chief Executive must:

- Ensure staff can recognise a data protection complaint and know what to do if they receive one, including where to direct the complaint to
- Ensure arrangements are in place for continuing to handle data protection complaints during staff absence or leave
- Be informed of all complaints or concerns as soon possible
- Ensure that they are dealt with quickly and positively
- Ensure confidentiality is maintained, sharing information on a 'need to know' basis only
- Ensure systems for keeping records are up-to-date, clearly organised and labelled

- Keep records of complaints securely for 25 years to comply with insurer’s requirements
- Ensure that personal information is not stored for longer than necessary

If an Investigator is appointed to deal with an internal complaint, they must:

- Seek clarification, full details and supporting evidence from the complainant
- Meet all people involved in the complaint to seek evidence
- If appropriate, meet with both /all parties together with an independent observer present to take notes and, if requested, a nominated person to accompany individuals
- Report their findings and recommendations to the CEO who will send a copy to both parties, so that accuracy can be agreed prior to action being taken

The Board of Trustees must:

- Receive an annual report of complaints, seek patterns and ensure action has been taken
- Take on the role of the CEO for complaints made about the CEO or Chair of Trustees

8. Related Standards, Policies and Processes

- Whistleblowing Policy
- Data (Use and Access) Act 2025
- ICO guidance: <https://ico.org.uk/about-the-ico/what-we-do/complaints-guidance-for-organisations/>
- Data Protection Network: Data Protection New Requirements <https://dpnetwork.org.uk/data-protection-complaints-new-requirements/>

9. Revision History

Version:	Date Approved:	Approved by:	Owner:	Author:	Summary of Change:	Review Date:
20250304	4 March 2025	Board of Trustees	Board of Trustees	JM	New policy format, reduced text	March 2028
20260601	5 March 2026	Board of Trustees	Board of Trustees	JM	Include data protection complaints in line with law 2026	March 2029

APPENDIX A: Complaints procedure and timescale

Complaint or concern raised	Timescale
a. If in writing a member of staff will acknowledge receipt and pass on information on the procedure and next steps	5 working days
b. A member of staff has an informal conversation to identify the nature of the issue	5 working days
c. If not resolved, complainant is requested to provide the complaint in writing	5 working days
d. CEO resolves issue informally between identified parties (if possible, and logs the outcome)	5 working days
e. Complaint not resolved or of a serious nature	
f. CEO receives further written information about the complaint	5 working days
g. CEO agrees and informs complainant how investigation will take place, i.e. by: <ul style="list-style-type: none"> • CEO • Appointed investigator • Chair of Trustees 	5 working days
h. Investigation carried out	30 working days
i. Complainant informed in writing about outcome and person complaint was about copied into letter or email	5 working days
j. Learning from the complaint results in improvement or change	As soon as possible
k. Report to Board	Next Board meeting
l. If either party chooses to use the right to appeal, the CEO (or Chair of Trustees if complaint has already been heard by CEO) will assess the appeal and, if sanctioned, will carry out further investigation or appoint an independent investigator	30 working days

m. Final report and decision produced for Board of Trustees to ratify	10 working days
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APPENDIX B: Data Protection complaints

Having a clear process for dealing with data protection complaints is a legal requirement from June 2026. Potential Plus UK is legally required to fulfil the following.

1. Procedure: provide a way to raise data protection complaints with us directly.

To do this, the website will:

- a. Include a published data protection complaints procedure, including -
 - i. an feedback email address to raise potential complaints
 - ii. acknowledgement of the complaint within 30 days of receipt (including weekends and holidays)
 - iii. the requirement for evidence and/or proof of identity, if applicable
 - iv. an explanation of how complainants will be kept informed of progress
 - v. that the outcome will be provided without undue delay
- b. Provide a complaint form that can be submitted electronically or in writing
- c. Explain other ways to make a complaint, e.g. by phone, in person, letter or email
- d. List any further evidence or information we may need at the outset (see 7 above)

2. Acknowledge each complaint within 30 days of receipt

- A record of that acknowledgement will be kept as proof that the deadline has been met.

3. Action and progress: take appropriate steps to respond without undue delay

On receipt of a complaint, Potential Plus UK will -

- refer the complainant to the responsible member of staff to process the complaint (see 7 Roles and Responsibilities above) before referring the complaint to the CEO who will:
 - make an appropriate level of enquiries
 - be able to justify why a complaint was handled in the way it was
 - look at all the relevant facts thoroughly, fairly and accurately
 - speak to relevant members of staff
 - compare the information from the complaint with the information we hold
 - check that published procedures, policies and standards have been upheld
 - keep complainants up to date on progress, including providing an estimated time for the complaint outcome to be ready and/or explaining any delays

4. Outcome: inform the complainant of the outcome without undue delay

In reporting to the complainant on the outcome of an investigation, Potential Plus UK will:

- justify why the complaint was handled in the way it was
- provide a clear explanation of how we have resolved their complaint
- itemise the complaint areas in a bullet point list and respond to each point with appropriate evidence, where possible
- explain any actions resulting from the investigation
- provide information to help the complainant understand how we reached the conclusion
- explain that they have the right to appeal to the ICO and provide contact details

Complaints from, or on behalf of, children

Children have the same rights as adults over their personal information. However, they may be less aware of the risks, consequences and safeguards.

If Potential Plus UK receives data protection complaints from children, or on their behalf, in addition to 4.3 above we will:

- assess the capacity of the child to understand and exercise their rights. For more information, see [When may a child exercise their rights? in our children and the UK GDPR guidance.](#)

Record keeping

Potential Plus UK will keep records of all data protection complaints. These records may provide evidence for the ICO if complaints are made to them in future. Records must include:

- the date the complaint was received
- our dated acknowledgement of receipt of the complaint
- any relevant conversations and documents
- the outcome of the complaint
- any actions taken as a result of the investigation.

Personal information **must not** be kept for longer than needed.

If the complainant is unhappy with the outcome

Potential Plus UK will inform complainants that they have the right to complain to the ICO and provide them with contact details.