

COMPLAINTS POLICY

1 Introduction

The Hubb Foundation is committed to working in partnership with all members of our communities. We value the good relations with our neighbours and the wider community views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person (or organisation) that has made the complaint.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint;
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint;
- To make sure everyone at The Hubb Foundation knows what to do if a complaint is received;
- To make sure all complaints are investigated fairly and in a timely way;
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired; and
- To ensure that, where appropriate, lessons are learned which lead to improvements in the way in which we operate.

2 Definition of a Complaint

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of The Hubb Foundation.

The difference between a concern and a complaint:

A 'concern' may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'. Where any concerns are raised we aim to resolve these as quickly and as efficiently as possible.

A 'complaint' may be generally defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'. It is in everyone's interest that complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to invoke formal procedures. There are occasions when complainants would like to

raise their concerns formally. In those cases, The Hubb Foundation's formal procedure should be invoked through the stages outlined within this policy.

A complaint made by an employee of the Hubb Foundation would usually be dealt with under the internal grievance procedure as in line with current legislation.

Where a complaint relates to personal data, data security, or the handling of information under data protection law, it may qualify as a 'data protection complaint'. These complaints follow statutory processes set out in Section 8 of this policy.

Comments, suggestions and compliments are managed under The Hubb Foundation Feedback and Compliments Policy. Any expression of dissatisfaction will be handled under this Complaints Policy.

3 Timescales from Submitting and Responding to a Complaint

To enable a proper investigation, concerns or complaints should be brought to the attention of The Hubb Foundation , within 3 months of the event occurring. This time limit does not apply if it can be shown that there were good reasons for not making the complaint earlier and it is still possible to investigate the complaint properly.

The Hubb Foundation aims to respond to a complaint within one month. Where the complaint is particularly complex, or the relevant staff, board member or Trustees are not immediately available, these timescales may need to be extended. In this case The Hubb Foundation will contact the complainant to inform them of the reason for the delay.

Where a complaint relates to personal data, we will also acknowledge receipt within 30 days, in line with statutory requirements under the Data (Use and Access) Act 2025.

4 Where Complaints Come From

Complaints may come from any individual, volunteer or organisation who has a legitimate interest in The Hubb Foundation, including the general public if something is perceived to be improper. A complaint can be received verbally, by phone, by email, through social media, via a website, through a staff member, through a partner organisation or in writing. This policy does not cover complaints from staff, who should refer to The Hubb Foundation's internal grievance policy on such matters.

The Hubb Foundation will make reasonable adjustments to enable individuals to make a complaint. Complaints may be submitted verbally, in writing, by email, or through another suitable format where required.

Anonymous complaints will be considered on a case-by-case basis. The ability to investigate may be limited where insufficient information is provided.

5 Exclusions

Complaints about refusal of an investment application or failure to be awarded a contract for delivery - in these circumstances the organisation making the complaint will be entitled to an explanation of why they were not awarded investment/contract. This policy does not extend any rights beyond a courteous letter of explanation.

The Hubb Foundation reserves the right to manage complaints that are abusive, discriminatory, repetitive, vexatious or unreasonable. Legitimate complaints will always be investigated fairly, but unreasonable behaviour towards staff, volunteers, trustees or partners will not be tolerated.

6 Confidentiality

All complaint information will be handled sensitively and in a confidential manner, telling only those who need to know and in accordance with UK GDPR, the Data Protection Act 2018 and The Hubb Foundation's Data Protection Policy. For data protection complaints, record-keeping is required under Section 8 of this policy.

7 Responsibility

Overall responsibility for this policy and its implementation lies with the Board of Trustees of The Hubb Foundation.

8 Data Protection Complaints

Under the Data (Use and Access) Act 2025 (DUAA), all organisations must maintain a formal process for handling data protection complaints by 19 June 2026.

This requirement is confirmed by ICO guidance (Feb 2026) stating organisations must acknowledge DP complaints within 30 days and respond "without undue delay", and by legal analyses confirming new Section 164A added to the Data Protection Act 2018.

8.1 What is a Data Protection Complaint?

A data protection complaint is any expression of dissatisfaction about how The Hubb Foundation collects, uses, stores, shares, retains, or secures personal data, or how we respond to rights requests under UK GDPR.

8.2 How to Submit a Data Protection Complaint

Data protection complaints may be submitted via:

Email: dpo@thehubbfoundation.org.uk

Post: The Hubb Foundation, The Whitehouse, 566 Etruria Road, ST5 0SU

Any staff contact point (staff must forward immediately).

Data protection complaints do not need to be labelled as a "data protection complaint". Any expression of dissatisfaction relating to personal information may constitute a data protection complaint. Complaints received through any communication channel, including email, telephone, social media, websites, staff members or partner organisations, must be referred to the Data Protection Officer without delay.

8.3 How we will handle Data Protection Complaints

We will:

Acknowledge the complaint within 30 days of receipt

Investigate without undue delay, making appropriate enquiries where required, and keep the complainant informed of progress.

Provide an outcome without undue delay, typically within 3 months unless exceptional.

8.4 Record Keeping

We will maintain a dedicated log of all data protection complaints, including dates, investigation steps, outcomes, and lessons learned.

8.5 Staff Responsibility

All staff must be trained to recognise a data protection complaint and escalate it to the DPO immediately.

8.6 Escalation to the ICO

If a complainant remains dissatisfied, they may escalate the matter to the Information Commissioner's Office (ICO).

This section should be read alongside The Hubb Foundation Data Protection Policy and Privacy Policy. Where a complaint identifies a personal data breach, data subject rights request, or other data protection compliance issue, the matter will also be managed in accordance with those policies and any applicable legal obligations.

Where a complaint identifies a safeguarding concern, the matter will also be managed in accordance with The Hubb Foundation Safeguarding Policy.

9 Review

This policy is reviewed annually and updated as required.

Complaint trends, outcomes and lessons learned will be reviewed periodically by senior management and reported to the Board of Trustees where appropriate.

10 Contact Details for Complaints

Complaints can be made in writing to:

The Hubb Foundation

The Whitehouse

566 Etruria Road

ST5 0SU

Alternatively, complaints can be made by e-mail to:

General complaints: info@thehubbfoundation.org.uk.

Data protection complaints: dpo@thehubbfoundation.org.uk.

11 Complaints about the behaviour of Trustees

These will be sent to the Chair of The Hubb Foundation Board for investigation, who may conduct any enquiries or delegate them to an appropriate person or body. The purpose of an enquiry will be first to determine the seriousness of the complaint; secondly to determine the veracity of complaint; and thirdly to make recommendations with regard to the resolution of any issues that gave rise to the complaint and if necessary refer it to the Charity Commission.

The aim of seeking resolution of the issue is to facilitate continued good working relationships. This process may, in exceptional cases, result in the commencement of disciplinary actions or actions to terminate a trusteeship.

In the event that the complaint relates to the Chair the matter will be dealt with in the manner outlined above by a person nominated by a trustee of The Hubb Foundation.

The complainant can expect a written response from The Hubb Foundation outlining the basic findings of the investigation and the actions to be taken.

12 Complaints about the behaviour of The Hubb Foundation Staff, Contractors and Partners

These will be sent to the Chief Operating Officer of The Hubb Foundation for investigation, who may conduct any enquiries or delegate them to an appropriate person or body. The purpose of an enquiry will be first to make a determination as to the seriousness of the complaint; secondly to determine the veracity of complaint; and thirdly to make recommendations with regard to the resolution of any issues that gave rise to the complaint and if necessary, refer it to the Charity Commission.

The aim of seeking resolution of the issue is to facilitate continued good working relationships. This process may, in exceptional cases, result in the commencement of disciplinary actions or actions to terminate a contract.

In the event that the complaint relates to the Chief Operating Officer of The Hubb Foundation, the matter will be dealt with in the manner outlined above by a person nominated by a trustee of The Hubb Foundation.

The complainant can expect a written response from The Hubb Foundation outlining the basic findings of the investigation and the actions to be taken. Outcomes will take into account the legislation protecting the data protection of individual employees and may not specify the action itself. We undertake to make a response within 10 working days. Where it does not prove possible to do this within this time period, we will acknowledge receipt of the complaint and set out timescales for provision of a full and complete response.

13 Right to appeal

For all appeals the complainant should address their appeal to the Board of Trustees in the first instance.

Where the appeal relates to a complaint about the Chief Executive, the complainant should address their appeal to the Chair in the first instance.

The decision of the Chair/Board of Trustees of The Hubb Foundation will be deemed to be final in the case of any appeal. Where the complaint does not relate to the Chief Executive or a trustee, or where the Chief Executive has previously delegated investigation of the original complaint, then the Chair of the Board may delegate this power of final decision to the Chief Operating Officer.

14 Resolving Complaints

Notwithstanding the exclusion detailed in clause 5, and the procedure for complaints relating to trustee conduct and The Hubb Foundation staff, contractors and partners detailed in clauses 11 and 12, complaints will be handled in accordance with the below staged procedure:

14.1 Stage One

Data protection complaints are subject to the specific requirements set out in Section 8 and may not follow the standard complaint timescales outlined below.

Initially, a complaint will be investigated by the member of The Hubb Foundation who is responsible for the respective activity, individual or matter.

On receiving the complaint, the employee will record it in the complaint's logbook. If it has not already been resolved, they may delegate an appropriate person to investigate it and to take appropriate action. Complaints should be acknowledged by the person handling the complaint within five working days.

If the complaint relates to a specific person, the person should be informed and given an opportunity to respond.

The acknowledgement will state who is dealing with the complaint, and when a reply should be expected. A copy of this Complaints Policy should be attached. Complainants should receive a definitive response within one month. If this is not possible, a progress report should be sent with an indication of when a full response will be provided.

The response to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

14.2 Stage Two

If the complainant feels that the problem has not been satisfactorily resolved at Stage One, they can request that the complaint is reviewed by The Hubb Foundation's Chief Operating Officer

At this stage, the complaint will be passed to the appropriate manager, who may escalate as appropriate. The request for a further review should be acknowledged within five working days of receiving it. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The manager may investigate the facts of the case themselves or elect a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who handled with the complaint at Stage One. The person who handled the complaint at Stage One should be kept informed of what is happening.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

Complainants should receive a definitive response within one month. If this is not possible, a progress report should be sent with an indication of when a full response will be provided. Whether the complaint is upheld or not, the response to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint. The decision taken at this stage is final, unless The Hubb Foundation determines it appropriate to seek external assistance.

14.3 External Stage

The Hubb Foundation is a registered charity. Complaints can be made, or referred, to the Charity Commission. Further information can be found at <https://www.gov.uk/complain-about-charity>.

Document Control

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17/11/2023	2.0	Tom Beecham	Changes to content	Board
18/03/2025	2.1	Sarah Plant	Minor updates	Board
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