

## Complaint Policy and Procedure

<b>Version No:</b>	3
<b>Date of Last Review:</b>	October 2021
<b>Date of Next Review:</b>	July 2027
<b>Operational Approved by:</b>	25/06/2025
<b>Board of Trustees Approval:</b>	14/09/2025
<b>Implementation Date:</b>	September 2025

Documentation Amendment History		
Version No	Date	Brief Description of Amendments

Related policies, procedures and guidance
Safeguarding Policy and Procedure 2024
24/7 Support Line Safeguarding Policy [DATE]
24/7 Support Line Abusive Visitors Guidance [DATE]
Confidentiality and Data Protection Policy 2021
Document Control and Retention Policy 2021
Whistleblowing Policy (within the Employee Handbook) [DATE]
Grievance Policy [DATE]
Membership Agreements with Rape Crisis member centres
National Service Standards 2024

Version History	Date
1	2019
2	October 2021
2.1.	2021
3	July 2025

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## Complaints Policy and Procedure

### 1. Introduction

Rape Crisis England & Wales (RCEW) is the national campaign and membership body for a network of independent, community-based centres providing specialist support and advocacy to women and girls affected by rape and sexual abuse.

Our shared vision is for a world without sexual violence, in which all women and girls can live safely, freely and with dignity.

To achieve this, our mission is to raise awareness of the nature, prevalence and impact of rape and sexual abuse; challenge the social and systemic conditions that allow it to go unchallenged; and ensure that every survivor can access specialist support and advocacy wherever, whenever and for as long as they need it, no matter their background or circumstance.

This Complaints Policy and Procedure is for our members, supporters and service users to use when they wish to make a complaint about any aspect of our services or conduct as described under sections 3 and 4.

This policy is not suitable for RCEW staff who wish to raise concerns about other staff or internal practice at RCEW. There are separate internal processes in place for staff to raise such concerns including via their Line Manager, or under RCEW's Grievance Policy or Whistleblowing Policy.

There is a glossary of terms in **appendix 4** to help clarify some of the language used in this policy.

### 2. Our Principles & Approach

- Rape Crisis England & Wales (RCEW) is committed **to listening to the needs and views** of our members, supporters and service users.
- We recognise that there may be times when our staff, trustees, or third parties working on our behalf make mistakes or get things wrong. We want to know when this happens so that we can use it as an **opportunity to learn, reflect and improve our services for victims and survivors**.
- We **encourage complaints to be raised** as soon as possible so that we can review and respond in a professional and timely way, and without causing any undue distress for all those involved.
- All complaints will **be treated seriously, handled sensitively and confidentially**. We will always try to resolve complaints and where possible rectify them promptly and with an explanation, apology and/or resolution.

- We will always try our best not to reinforce trauma in our interactions and responses to people who complain to us.
- We will be **transparent in our approach** and **communicate with the person making the complaint** until this procedure has been exhausted.
- There is **no time limit** on when complaints can be lodged. For complaints about incidents that happened years ago, it may be difficult to find a resolution, however we are committed to supporting victims and survivors to have their voices heard wherever possible.
- **Seeking resolution** of complaints at an early stage and avoiding passing complaints through the different stages of this procedure is an important principle that we expect all RCEW staff to work towards.
- All complaints will be dealt with in line with our **confidentiality** and **equality, diversity and inclusion** policies, as well as our **commitment to anti-oppressive practice**.

Find out what we mean by survivor-centred approach and our commitment to anti-oppressive practice at [www.rapecrisis.org.uk](http://www.rapecrisis.org.uk)

### 3. What will be treated as a complaint?

The following will be considered as a complaint within the scope of this policy:

- Complaints about the standard of service provided on our 24/7 Rape & Sexual Abuse Support Line or any other service provided by RCEW;
- Complaints about the behaviour of RCEW staff, trustees or third parties working on our behalf;
- Concerns related to the improper implementation of RCEW policies and procedures; and
- Complaints about the behaviour, actions or standard of service of one of our member centres if it constitutes a breach of the 2024 Rape Crisis National Service Standards.

If the complaint relates to safeguarding concerns where an individual is at risk of serious harm and abuse, it will be routed into a safeguarding process which follows RCEW's Safeguarding Policy or our 24/7 Support Line Safeguarding Policy. These policies are aimed at preventing further harm or abuse, and responding to concerns raised. In our efforts to do this, we may need to communicate with multi-agency partners including the local authority support teams, community support, police and medical services etc. If this happens, we will explain this to those involved. The instigating of a safeguarding response does not prevent you from making a complaint, but the safeguarding response is likely to be prioritised ahead of responding to the complaint.

## 4. What will not be treated as a complaint?

All complaints will be assessed as to whether they constitute a complaint falling within the scope of this policy, however in most circumstances the following will not be considered a complaint:

- Comments and concerns about RCEW's policy positions or decisions related to our ethos, approach, or internal operational decisions;
- Matters that have already been fully investigated and have exhausted RCEW's Complaints Policy;
- Complaints about organisations that are not member centres of RCEW or that are no longer operational;
- An expression of dissatisfaction made through a survey, focus group, social media, or other channel that is not defined as a complaint. Although where possible, the person sharing the information or making the comment will be made aware of how to make a complaint if they wish to via signposting to this policy;
- Complaints about internal policies and other matters (including staff grievances) within RCEW member centres which do not pertain to service delivery as set out within RCNSS 2024; and
- Complaints by staff about other staff or internal practice at RCEW. There are internal processes in place for these types of concerns to be raised including RCEW's Grievance and Whistleblowing policies. A complaint will be considered under the Whistleblowing Policy if it is made by an employee about a report of wrongdoing that they believe is of public concern, where additional protections may be needed, and which can be implemented to protect them from retaliation.

Where we decide not to progress a complaint under this policy, we will explain the reason why either verbally or in writing within 10 working days. If a reason is given verbally, this should be documented in writing for audit purposes.

## 5. Complaints about Rape Crisis member centres

Rape Crisis centres are member centres through accreditation against our 2024 Rape Crisis National Service Standards. They are independently registered charities with their own policies, procedures and governance structures. They are not a legal part of RCEW, but partners through membership agreement.

If your complaint is about a Rape Crisis member centre:

- You must first make your complaint directly to the Rape Crisis member centre following their complaints process. You can find the list of member centres [here](#).

- You must exhaust the Rape Crisis member centre complaints process before contacting RCEW. Where it is determined that there are safety concerns for the person making the complaint, RCEW will consider the best course of action to respond, and take action if necessary, while also ensuring confidentiality and protection against any concerns about retaliation.
- Once you have exhausted the Rape Crisis member centre complaints process and you remain dissatisfied with the outcome, you can raise a complaint with RCEW. You cannot make a complaint to RCEW while the Rape Crisis member centre process is ongoing.
- Please be aware that RCEW is only able to review the complaint against the member centre in relation to the 2024 Rape Crisis National Service Standards (access the standards at [www.rapecrisis.org.uk](http://www.rapecrisis.org.uk)). This means we will only consider if the centre has fallen short of the standards expected of its member centres in their delivery of services to victims and survivors. We will review the complaint against the requirements as set out in the membership agreement we have with the member centre, and then the 2024 Rape Crisis National Service Standards only. RCEW cannot re-investigate the individual complaint that you have made.

## 6. How to make a complaint?

If the complaint is about a member centre, you must first raise your concern directly with the member centre following their complaints process. This process must be completed before RCEW can get involved, unless there is an exceptional reason that means you are unable to. You can find a list of member centres [here](#).

All of our members are independently registered charities with their own policies, procedures, local partnerships and governance structures. Rape Crisis centres are accredited via our [2024 Rape Crisis National Service Standards \(RCNSS\)](#) - a set of specialist quality standards for organisations delivering sexual violence and abuse support and advocacy services from a feminist perspective.

If you believe your complaint meets the guidance within section 3, you can contact RCEW in one of the following ways.

Method	Details	Initial Information needed
By Email	<a href="mailto:rcewinfo@rapecrisis.org.uk">rcewinfo@rapecrisis.org.uk</a>	- Your name and contact details; - Name, position and contact details of person submitting the complaint on your behalf; - Details about the complaint including what the complaint is about, when and where it happened,
By phone	0300 102 4492  Please note that this telephone line is not staffed. You can only leave a message, but a member	

	<p>of our staff will aim to return your call within 7 working days providing you leave a contact number.</p>	<p>who was it involved, and any other relevant information;          - What would you like to happen as a result of the complaint given what is in our capacity as RCEW; and          - What reasonable adjustments might you need.</p>
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We aim to acknowledge all complaints within 7 working days.

Complaints raised anonymously will always be considered and further action agreed, although only in so far as reasonably practical given the extent of information provided.

The Making a Complaints Form is available at **appendix 1**. All complaints are logged centrally in a secure location.

You can also see an overview of the complaint procedure and associated timeline in **appendix 2**. These appendices are accompaniments of this policy

## 7. If you need support to make a complaint

If you feel that you need support to make a complaint, staff at RCEW can help you to do that in a way that meets your needs based on what you tell us and in accordance with reasonable adjustments as appropriate under the Equality Act 2010.

If you have any specific accessibility requirements because of a disability, language barrier, or any other reason, please tell us so that we can support you to engage in a way that you feel comfortable and that meets your needs.

If you are a service user who is below the age of 18 years of age or require additional support, we will help you to engage with us by sharing relevant information about organisations that can support you to self-advocate, if that is what you want.

We will do our best to accommodate reasonable support requests based on our resources and capacity; and with the intention of creating a safe space where people feel meaningfully able to openly engage without causing any further distress or fear of reprisals.

Though there may be variations in application of the procedure depending on the nature of the complaint, as a general rule all complaints will follow the same steps. Every effort will be made to resolve complaints informally first, and to prevent them being escalated to the formal process.

At every stage, concerted effort will be made to resolve complaints in a respectful, fair, and transparent way which prioritises resolution rather than passing the complaint

through this complaints process. This is critical to preventing undue stress and centring the psychological safety of the complainant as part of our survivor-centred approach.

## 8. Making a complaint about RCEW



Every effort will be made to resolve complaints informally. If a complaint cannot be resolved via informal resolution, it will escalate to the formal complaints process at **Stage 1** which is:

- A suitably skilled member of staff is assigned to lead on the complaint (see **appendix 2**). There are dedicated roles for complaints in some teams who have been trained on this policy and procedure.
- The complaint will be acknowledged in writing within 7 working days of receiving the complaint.
- There will be an initial review of the complaint to determine whether an investigation is needed which can take up to 10 working days. If it is determined that an investigation is needed, this will be concluded within 28 working days. The 28-day working period is to ensure that appropriate resource and capacity is in place to investigate the complaint, and to accommodate availability in schedules of people (including other staff, partners, and the complainant) where interviews may be needed, further documentation sourced, and findings determined and communicated etc.
- If further time is needed due to the complexity of the complaint, we will let you know either by phone or in writing. We do not take decisions to extend investigation periods lightly because of the potential distress it can cause for everyone involved. Any extension period should be no longer than 15 working days.
- It is likely that during the investigation period, we may ask to speak to you further to understand the complaint in more detail. For these conversations, which will normally take place by phone, you can be accompanied by someone in a support role and we will ask you if there are reasonable adjustments needed to enable your engagement. If you don't want to speak to us by phone including because you want to stay anonymous, that is fine too. In these circumstances, we will communicate with you by email unless another option is agreed.
- Our staff leading this process will consider any safety or safeguarding concerns that may arise and take appropriate action to minimise risk of harm. This may

involve alerting RCEW's Safeguarding Lead as per our Safeguarding Policy and 24/7 Support Line Safeguarding Policy.

- If you raise additional complaints during Stage 1 of the investigation, you will be asked if you would like them to be treated as additional complaints. If you do, we will seek to accommodate your request. Additional complaints may delay the Stage 1 period further. If it does, we will let you know.
- The additional complaints must be a reasonable number of complaints for our staff to manage and include information we are able to act upon. Information shared as feedback and that do not require a response, will not be treated as a complaint, but instead used to reflect on to improve our practice.
- The outcome of Stage 1 will be communicated to you in writing (reasonable adjustments considered) within 5 working days of this process concluding. All outcome letters will be in plain English and, if necessary, translated into your first language for the purpose of ensuring that it is understood. The outcome letter will include:
  - The complaint(s).
  - Re-clarify the stage of the process (Stage 1).
  - The decision reached with rationale.
  - Information about the remedy aimed at correcting any mistakes made and giving you reassurance that you have been heard.
  - Signposting to support services if necessary.
  - Information about how to move your complaint to the next stage if you remain unhappy with the outcome.
- If the complainant asks RCEW not to communicate in writing at any point in this process, their request will be considered, recorded, and in as much as possible a suitable alternative will be agreed to communicate with them. However, there will still be written record for our internal record keeping.
- All complaints are logged centrally in a secure location.

If the complaint cannot be resolved at Stage 1, it will move to **Stage 2** which is:

- The request to escalate the complaint to Stage 2 must be made within 10 working days following receipt of the Stage 1 response. This gives you time to reflect on the information shared in the outcome letter and decide if you would like to move the complaint to Stage 2.
- The complaint will be escalated to a more senior member of staff to review and who will acknowledge the Stage 2 escalation of the complaint in writing and within 5 working days.
- At this stage, the complaint will not be re-investigated unless it is determined that there are flaws or gaps in the original investigation and that additional follow

up information or a new investigation is needed. There may be a request for a follow up conversation with the complainant if necessary.

- The approach taken in Stage 1 will be reviewed within 15 working days of the Stage 2 request being agreed. However, if additional information or a new investigation is needed, then this period will be extended. We will let you know how long this may take, although it should be no more than an additional 10 working days.
- The staff leading this process will continue to consider any safety or safeguarding issues that may arise and take appropriate action in order to minimise risk of harm. As previously noted, if necessary, they will inform RCEW's Safeguarding Lead as per our Safeguarding Policy and 24/7 Support Line Safeguarding Policy.
- The outcome of Stage 2 will be communicated to you within 5 days of this process concluding. It will be communicated in writing and at this stage the complaints process is concluded. The outcome letter will include:
  - The complaint(s).
  - Re-clarify the stage of the process (Stage 2).
  - The decision reached with rationale.
  - Information about the remedy aimed at correcting any mistakes made and giving you reassurance that you have been heard.
  - Signposting to support services if necessary.
  - Clarifying that this is now the end of the complaint process and there are no further avenues for recourse from within RCEW.

There may be circumstances where it is necessary for an external consultant to lead on an investigation and/or of a complaint for RCEW. This will be because there is a potential conflict of interest or because of safety and wellbeing concerns. This will be determined and approved by RCEW's Chief Executive Officer (CEO).

Where an appeal process or a complaint requires involvement from a Trustee(s), they will commission an external consultant to investigate the complaint or hear the appeal.

The time periods given for Stage 1 and Stage 2 are estimates, but we expect all RCEW staff handling complaints to complete a meaningful process within the time periods and sooner if possible.

## 9. Making a complaint about a Rape Crisis member centre



You must contact the member centre and raise your complaint directly with them before contacting RCEW. RCEW is not able to consider your complaint until the member centre's internal process is completed as directed in section 5.

There may be extenuating circumstances where RCEW would consider reviewing a complaint about a member centre without the member centre's complaints process first being exhausted, only if it is determined that it would be unsafe for you to raise the complaint directly. This will only be with agreement of RCEW's CEO.

We expect all member centres with the Rape Crisis National Service Standards accreditation to uphold the highest standards of service for victims and survivors. If you have made a complaint to a member centre, you have exhausted their process, and you remain dissatisfied, you can raise your complaint via **Stage 1** of RCEW's procedure only if you believe that they have breached the National Service Standards. The process is as follows:

- If you suspect that the member centre has breached the **2024** Rape Crisis National Service Standards, the onus is on RCEW to determine the breach and not the person making the complaint.
- A suitably skilled member of staff is assigned to lead on the complaint (see **appendix 2**). They will acknowledge, in writing, your complaint within 7 working days of receipt of the complaint.
- The member centre will be informed including so that RCEW can understand how they handled the original complaint. RCEW staff will act objectively and with impartiality in all engagement and uninfluenced by any existing relationship with the centre.
- The process to determine a breach can take up to 28 working days and may include the following: interviews with you as the complainant and staff at the member centre; review of any documentation including all communications including complaint outcome letter(s), assessment information during the accreditation process, and anything else that may be required to make an assessment against the requirements of the **2024** Rape Crisis National Service Standards.

- If this process includes RCEW having to contact any external organisation or agency, this may extend the time period. If this is the case, we will keep you informed of the time period for the expected response and any delays.
- During this period, we may ask to speak to you to understand the complaint and response in more detail. For these meetings, which will normally take place by phone, you can be accompanied by someone in a support role if it would help you, and we will also ask you if there are any reasonable adjustments that are needed. If you don't want to speak to us by phone including because you want to stay anonymous, that is fine too. In these circumstances, we will communicate with you by email unless another option is agreed.
- The staff leading this process will consider any safety or safeguarding issues that may arise and take appropriate action in order to minimise risk of harm. They may alert RCEW's Safeguarding Lead as required by RCEW's Safeguarding Policy and the 24/7 Support Line Safeguarding Policy.
- If you raise any new complaints that have not been addressed in the member centre's complaints process, you will be directed back to the member centre who must be given the right to investigate and reply.
- The outcome of Stage 1 will be communicated to you in writing (reasonable adjustments considered) within 5 working days of this process concluding. It will be communicated in writing in plain English and, if necessary, translated into your first language. The outcome letter will include:
  - The complaint(s)'
  - Re-clarify the stage of the process (Stage 1).
  - The decision reached with rationale.
  - Information about further action that may take place as a result of the complaint.
  - Signposting to support services if necessary.
  - Information about how to move your complaint to the next stage if you remain unhappy with the outcome.

For an overview of the approach that is taken in Stage 1, see **appendix 3** for additional information and guidance.

If you are dissatisfied with the Stage 1 outcome, your complaint will move to **Stage 2** which is:

- The escalation to Stage 2 complaint will be acknowledged within 7 days of receiving the request.

- A member of the Independent Quality Assessment Panel<sup>1</sup> (IQAP) will be appointed and will assess the Stage 1 process and outcome.
- The complaint and investigation process will be reviewed within 15 working days. However, if follow-up information or a new investigation is needed then this period will be extended - we will let you know how long we estimate this period to be, although it should be no more than an additional 10 working days.
- The IQAP member leading this process will continue to consider any safety or safeguarding issues that may arise and take appropriate action in order to minimise risk of harm. As previously noted, if necessary they will inform RCEW's Safeguarding Lead as per our Safeguarding Policy and the 24/7 Support Line Safeguarding Policy.
- The outcome of Stage 2 will be communicated to you within 5 days of this process concluding. It will be communicated in writing and at this stage the complaints process is concluded. The outcome letter will include:
  - The complaint(s).
  - Re-clarify the stage of the process (Stage 2).
  - The decision reached with rationale.
  - Information about any follow up action that may take place following the panel's conclusion.
  - Signposting to support services if necessary.
  - Clarifying that this is now the end of the complaint process and there are no further avenues for recourse from within RCEW.
- If it is determined that a breach has taken place, you will receive information about this in the outcome letter. However, there will be limitations to the amount of information shared including because of the potential impact on service provision at the member centre.
- Every effort will always be made to support a member centre to improve their service before making a decision to revoke accreditation of the 2024 Rape Crisis National Service Standards. Where accreditation is revoked, RCEW's CEO and Board will always be informed and consulted. Any appeal by a member centre about these decisions will be addressed outside of this policy, and via a dedicated appeals process.
- This is the end of the complaints process.

If you are dissatisfied with RCEW's handling of complaints or response, you can contact the Charity Commission at PO Box 211, Bootle, L20 7YX, (Tel) 0300 066 9197 or at [www.gov.uk/complain-about-charity](http://www.gov.uk/complain-about-charity) citing our charity number **1155140**.

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<sup>1</sup> The Independent Quality Assessment Panel (IQAP) is made up of independent people who review assessments of Rape Crisis member centres as part of the Rape Crisis National Service Standards Accreditation by Independent Quality Assessors (IQAs). IQAs are different to members of the IQAP.

## **10. Complaints that are persistent or vexatious**

At RCEW we understand how difficult it can be to make a complaint about a service that is designed to believe and support victims and survivors. We will always try our best to centre safety and wellbeing in all of our interactions with victims and survivors while treating them fairly, and with dignity and respect.

However, we sometimes receive persistent, vexatious, and abusive complaints which can be distressing for everyone involved. We have a duty of care to everyone who interacts with our charity and if these types of complaints are impacting our staff and our ability to carry out services to support victims and survivors, we will take action to stop the complaints and related communications.

Though we make every effort to explain our decisions and actions, we may have to cease all communications and take other action as necessary to enable our staff to work in a safe environment and continue supporting victims and survivors.

We will not tolerate sexually inappropriate, racist or any other form of abusive or threatening communications and/or callers. We will, if necessary, report to the police and/or other agencies communications and calls that could constitute a hate crime or inappropriate behaviour including that of a sexual nature.

## **11. Confidentiality**

RCEW takes its responsibility to uphold confidentiality seriously. This means that we take due care when handling sensitive and personal information. The way that we do this is that we will:

- Ask for consent<sup>2</sup> to share information about you outside of RCEW. We only share information internally with those responsible for handling and responding to complaints.
- Consider safeguarding when sharing information. However, this does not mean that we will not share information in order to prevent any harm or abuse to a child or adult.
- Actively seek to take a survivor-centred approach in how we communicate with you and be aware of any confidentiality considerations in doing so.
- Ensure that information is held in restricted access and confidential files.

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<sup>2</sup> Consent must be informed. This means that it is freely given without pressure or coercion; people understand what, when and how the information will be used; it is specific to the purpose; affirmative action with express permission is clear; all consent is recorded and documented; and that people can withdraw consent as easily as they gave it, although with the caveat that it may be challenging to retrospectively act on withdrawing consent.

- Keep up to date on the laws and rules surrounding confidentiality including with the support of our Data Protection Officer.

For more information on how RCEW processes your personal data, please refer to our privacy notice.

## **12. Managing reports and continuous improvement**

- All complaints are recorded centrally in a secure location. All information related to the complaint including reports are stored in restricted access files.
- Complaints are reviewed periodically by the Senior Management Team and their respective teams to facilitate organisational learning, policy amendments and inform future practice changes.
- We make every effort to ensure that we have a fair and transparent complaints process that prioritises the safety and wellbeing of all those involved including survivors and staff. We will review our approach as set out in this policy and procedure together with data shared at Board on an annual basis. This is to ensure that our approach is fit for purpose, and that we can learn when we get things wrongs and make every effort to rectify to prevent them happening again.