# Magic Club Complaints Policy

## 1. Purpose and scope

The Magic Club 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 Magic Club 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
- To gather information which helps us to improve what we do

## 2. Definition of a complaint

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Magic Club's work.

## 3. Where complaints come from

Complaints may come from any individual, volunteer or organisation who has a legitimate interest in the Magic Club, including the public if something is perceived to be improper. A complaint can be received verbally, by phone, by email, via social media or in writing.

## 4. Confidentiality and data protection

All complaint information will be handled sensitively, telling only those who need to know and following all relevant data protection requirements under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Personal data collected as part of a complaint will be processed lawfully, fairly and transparently, retained only as long as necessary, and stored securely. Complainants may request access to personal data held about them in accordance with their rights under the UK GDPR.

From 19 June 2026, the Data (Use and Access) Act 2025 introduces a legal requirement for all organisations to have a formal process for handling data protection complaints. In accordance with this requirement, where a complaint relates to how personal data has been handled, the Magic Club will:

- Provide a clear means for individuals to raise data protection complaints
- Acknowledge receipt of any data protection complaint within 30 days
- Take appropriate steps to respond without undue delay, keeping complainants updated on progress
- Provide a clear outcome to the complainant without undue delay

Individuals also retain the right to raise data protection concerns with the Information Commissioner's Office (ICO) at any time via ico.org.uk.

## 5. Responsibility

Overall responsibility for this policy and its implementation lies with the board of trustees of the Magic Club.

**6. Complaints procedure**

**6.1 Publicised contact details for complaints:**

Written complaints may be sent to the Magic Club at c/o 84 Egerton Road, Blackpool, FY1 2NN or by email at info@magicclub.org.uk. Verbal complaints may be made in person to any of Magic Club's staff or trustees.

**6.2 Receiving complaints**

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have, such as social media. Complaints received by telephone or in person need to be recorded.

The person who receives a phone or in-person complaint should:

- Write down the facts of the complaint
- Take the complainant's name, address and telephone number
- Note down the relationship of the complainant to the Magic Club, e.g. parent/carer, donor, volunteer
- Tell the complainant that we have a complaints procedure
- Tell the complainant what will happen next and how long it will take
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words

**6.3 Resolving complaints**

**a) Stage one**

In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. Whether or not the complaint has been resolved, the complaint information should be passed to the Magic Club CEO within two days.

On receiving the complaint, the CEO records it in the complaints Logbook. If it has not already been resolved, they delegate an appropriate person to investigate it and to take appropriate action. If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within five working days. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached. Ideally complainants should receive a definitive reply within one month. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply 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.

**b) 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 at Board level.

At this stage, the complaint will be passed to the Board of Trustees. The request for Board level 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 Board of Trustees may investigate the facts of the case themselves or delegate a suitably senior person to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One. The person who dealt with the original 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. Ideally complainants should receive a definitive reply within one month. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given. Whether the complaint is upheld or not, the reply 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 Board decides it is appropriate to seek external assistance with resolution.

**c) External stage**

As the Magic Club is a registered charity, the complainant can raise a concern with or complain to the Charity Commission at any stage. The Charity Commission has updated its guidance on what it is and is not able to investigate. It is able to act where, for example, a charity is not doing what it claims to do, is losing significant amounts of money, is being used for personal gain, or is causing harm to beneficiaries. It is generally unable to investigate employment disputes, disagreements between trustees, or matters which do not pose a serious risk to the charity, its assets or beneficiaries. Information about raising a concern with the Charity Commission can be found at: https://www.gov.uk/complain-about-charity

Where a complaint relates to fundraising activities, complainants may also contact the Fundraising Regulator, which is the independent regulator of charitable fundraising in England, Wales and Northern Ireland, at: www.fundraisingregulator.org.uk

**7. Variation of the complaints procedure**

The Board may vary the procedure for good reason. This may be necessary to avoid a conflict of interest — for example, a complaint about a Chair or trustee should not also have the Chair and/or trustee involved as a person leading a Stage Two review.

**8. Monitoring and learning from complaints**

A quarterly report is compiled and submitted to the Board of Trustees. This report includes the number of complaints received, the subject matter of the complaint(s), whether or not the complaint(s) have been resolved, and any learning points which have emerged as a result.

Complaints are also reviewed annually to identify any trends that may indicate a need to take further action.