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## BMC Complaints Policy and Procedure

### **1. Introduction**

1.1. As the National Representative Body (NRB) for climbers, hill walkers and mountaineers, in England and Wales, and the National Governing Body (NGB) in the UK for competition climbing, the BMC strives to provide an excellent service to its members and stakeholders in line with its values:

- Community: we are the voice for our diverse community of climbers, hill walkers and mountaineers.
- Adventure: we believe in the freedom to challenge ourselves, taking personal responsibility for the risks.
- Sustainability: we protect our crags and mountains, campaign for improved access and promote environmental sustainability.
- Aspiration: we help people improve their skills, confidence and achieve personal ambitions.
- We celebrate the rich variety of British climbing, hill walking and mountaineer; we build inclusive relationships and respect each other.

1.2. If you feel we have fallen short of achieving our high standards, we encourage you to work with us to understand where we could do better, and how we can continually make improvements.

### **2. Purpose**

This complaints procedure aims to establish a clear, transparent and accountable system for you to work with us and help us improve. We will take your complaint seriously, and will address it and respond to it as quickly as possible given the resources we have.

### **3. Who can make a complaint?**

Any member of the public, both members and non-members, or their representatives, staff, businesses, public and voluntary bodies can make a complaint about the BMC.

### **4. Before raising a complaint**

4.1. The following areas are not classified as complaints and so are not dealt with under this policy. If you want to report a concern on any of the issues set out below, you need to refer to the following policies and use the following email addresses:

- Safeguarding – further information is [here on our website](#) – [safeguarding@thebmc.co.uk](mailto:safeguarding@thebmc.co.uk)
- Selection – further information is [here on our website](#) – [appeals@thebmc.co.uk](mailto:appeals@thebmc.co.uk)
- Anti-doping – this is dealt with by UK Anti-Doping, please see our website at [BMC Anti-doping](#) for further information
- Travel insurance - this is dealt with in accordance with the terms of business of our insurance policies, details of which are [here on our website](#)

4.2. We would encourage people in the first instance to resolve their differences or concerns in a kind and conciliatory manner and directly with the individual(s) who triggered your concern. If you have a concern or a possible complaint but don't know who to discuss it with contact [office@thebmc.co.uk](mailto:office@thebmc.co.uk) and we will help put you in contact with the right person(s) to discuss your concern with.

4.3. If the discussion does not address the issues and you wish to take the matter further you can either provide feedback, as set out in clause 10 below, or raise a complaint, as set out in clause 5 below.

4.4. You should understand that a complaint is an expression of dissatisfaction about the BMC's action, or lack of action, or about the standard of a service, where the action taken or the service provided was done so

by a BMC staff member, volunteer acting on behalf of the BMC, or a body or organisation acting on behalf of the BMC.

- 4.5. A complaint is not an initial request for a service to be delivered within a published timescale, except where the consequential actions of the BMC mean the definition of a complaint, as defined above, are met.
- 4.6. A complaint is not about:
  - one of our published policies;
  - wider government policy; and/or
  - a decision that was reached properly and in accordance with our policies and procedures.
- 4.7. Please ensure your complaint relates to something that has happened in the last three months. We recognise there may be exceptional reasons why a complaint is older, we will use our sole discretion as to whether we accept such complaints.

## 5. Procedure for raising a complaint

- 5.1. Please raise your complaint by completing the web form [by clicking on this link](#) .
- 5.2. Upon receipt of your complaint, a member of our team will review the complaint and contact the most appropriate Complaint Lead (as set out in clause 6.1 below) to deal with it.
- 5.3. We aim to acknowledge your complaint within two working days, when we will also advise you of the name of the person(s) who will take responsibility for your complaint.
- 5.4. The Complaint Lead will be responsible for appointing an individual or team, who they consider independent to investigate the matter, they may ask you for further information to assist them with the investigation.
- 5.5. We will aim to provide a full written response to your complaint within ten working days of acknowledgement of the complaint. If this is not possible we will notify you of this and provide you with an explanation for the delay and a date on which you should expect to receive a response.
- 5.6. If your complaint is upheld, we will advise you what, if any, remedy or rectification can be applied in the particular circumstances.

## 6. Complaints handling overview

- 6.1. Recognising that a complaint does not always fall cleanly into a single 'category' our intent is that complaints/appeals will be dealt with by the Complaint Lead or Appeal Lead as set out below:

Complaint About	Complaint Lead	Appeal Lead
Members	Members' Council	President
Volunteers	Members' Council	President
Staff	Line Manager	CEO
CEO	Board	Chair of the Board
Board Members	Board	Chair of the Board
Board Committees	Board	Chair of the Board
Chair of the Board	Senior Independent Director	President
President	Members' Council	President required to seek confirmation by the Members at next AGM.
Clubs	Clubs Committee	Members' Council

- 6.2. Notwithstanding clause 6.1, the BMC at its sole discretion will decide the appropriate Complaint Lead and Appeal Lead for each individual complaint/appeal; where it varies from, or is not defined in, clause 6.1 we will notify you of the appropriate lead.
- 6.3. Where possible a complaint will be dealt with by an individual not involved in any previous discussions or actions in the complaint.

## **7. General**

- 7.1. We do not investigate anonymous complaints but will treat such communications as feedback.
- 7.2. We do not accept complaints that are broadly the same as a previous complaint from the same complainant.
- 7.3. We do not progress complaints that we believe are vexatious or malicious, see clause 9 below.
- 7.4. We do not tolerate abusive behaviour or language from complainants.
- 7.5. Every effort will be made to ensure your complaint is handled confidentially. However, there may be occasions where due to the nature of the complaint this is not possible. If this is the case we will discuss this with you directly.
- 7.6. Details of all complaints received will be recorded on our complaints log. This will include your name, contact details and the date of the complaint.
- 7.7. All records from the complaints process will be retained in a secure and confidential manner by the BMC in accordance with the BMC Data Protection Policy and Privacy Policy, and any applicable data protection legislation in effect at the time of the complaint including, but not limited to, the GDPR and Data Protection Act 2018.
- 7.8. Records held as part of the complaints process will be retained for a period of six years.
- 7.9. All communication related to the complaint will be handled by @thebmc.co.uk email addresses and we will clearly identify the appropriate emails to use for any necessary correspondence. Please do not email other individual members of staff or volunteers about your complaint or appeal as this may compromise your complaint.

## **8. Appeal**

- 8.1. If you, or the person(s) you have raised the complaint against, remain unsatisfied with the outcome or the manner in which your complaint has been handled then you, or they, can appeal the complaint findings.
- 8.2. If you wish to appeal, you should submit any request within ten working days of receipt of our response to you. You should do this by completing the web form at the end of this policy, making sure that you tick the box 'Appeal', and providing a clear description of why you are unhappy with the outcome of your complaint. If any other party appeals your complaint we will notify you.
- 8.3. We will aim to acknowledge your request within two working days and the Appeal Lead, or a delegated individual, will provide a written response within ten working days.
- 8.4. The Appeal Lead, at their discretion, may either action the appeal themselves or appoint an individual or team to review your appeal and provide a response to you. Any person(s) involved in the appeal will not have been involved in the initial complaint.
- 8.5. The decision of the appeal is final.

## **9. What we expect from you**

- 9.1. We understand that if you have a complaint you are likely to feel strongly about it. We also understand that you may feel angry, frustrated or upset by the circumstances that led to your complaint and this may cause you to act in a way that is out of character. Nevertheless, we expect you to be polite and courteous to our staff and our volunteers and we will not tolerate aggressive or abusive behaviour. There is a large amount of work at the BMC done by teams of volunteers and we expect complainants to respect that.

### Unreasonable complaints

- 9.2. In most cases complaints can be dealt with quickly and simply. However, in a minority of cases complaints are pursued in unreasonable and inappropriate ways. We have no choice but to take action to protect our staff and volunteers where this is the case.
- 9.3. Some criteria and examples of unreasonable complaints are set out in the Appendix, this is not an exhaustive list.

- 9.4. If we deem a complaint unreasonable we will take action that is proportionate. This may include refusing to consider further, additional complaints about a matter currently under consideration, and placing limits on telephone conversations or person contact e.g. limiting telephone contact to one named member of staff.
- 9.5. The decision to apply measures to manage unreasonable complaints will be taken by the CEO, President or the Chair of the Board as appropriate. The complainant will be informed of the measures in writing.

#### Aggressive or Obsessive Complainants

- 9.6. The BMC wants to deal honestly and respectfully with complainants and ensure that other service users, staff or the BMC as a whole do not suffer detriment from persons making vexatious, aggressive or obsessive complaints.
- 9.7. Examples of behaviour which could be defined as vexatious, aggressive or obsessive include:
  - excessive and repeated attempts to contact staff and volunteers
  - pursuing multiple complaints against the BMC at the same time
  - making unreasonable demands of staff and volunteers,
  - threats (including those of legal action) against staff/volunteers or the BMC
  - repeated raising of unreasonable complaints (see above)
  - making multiple complaints to multiple external organisations about the BMC
- 9.8. The CEO, President or the Chair of the Board as appropriate will write to complainants to inform them that their behaviour is considered to be unacceptable.
- 9.9. If we experience vexatious, aggressive or obsessive behaviour from a complainant we will take action that is proportionate to the nature and frequency of the complainant's contact with the BMC. The decision to apply measures to manage complainants will be taken by the CEO, President or the Chair of the Board as appropriate. The complainant will be informed of the measures in writing.

#### **10. Feedback**

- 10.1. Where your concern does not meet the criteria for a complaint then you can still provide feedback. Feedback is always welcome and is taken seriously. We will ensure that any feedback received is discussed by the appropriate people to improve the service that we offer.
- 10.2. Feedback should be sent directly to [office@thebmc.co.uk](mailto:office@thebmc.co.uk) We will acknowledge your email but typically, will not provide formal responses and updates to you individually.
- 10.3. Members can also provide feedback through their local Area, a Councillor or a Director; and if this does not address the issue raise a resolution at an AGM following the procedure set out in our [Articles of Association](#).

## Appendix – unreasonable complaints

Unreasonable complaints are complaints that:

- because of the nature of the contact or frequency with which the complaint is pursued, hinder our ability to properly consider the matters at hand or place unwarranted demands on staff time,
- may be justified grievances but pursued in inappropriate ways, or
- have already been fully investigated and responded to.

Here are some examples of the actions and behaviours that may lead the BMC to deem a complaint unreasonable:

- Refusing to specify the grounds of a complaint, despite offers of assistance from staff
- Refusing to co-operate with the complaints procedure while still wishing the complaint to be resolved
- Refusing to accept that some issues are not within the remit of our complaints procedure despite having been provided with the information
- Changing the basis of the complaint while the procedure is in process
- Introducing trivial or irrelevant new information or raising large numbers of detailed but unimportant questions and insisting they are fully answered
- Adopting a 'scattergun approach': repeatedly contacting different members of staff or volunteers with different information and/or questions, or pursuing a complaint simultaneously with a number of different organisations
- Submitting a repeat complaint once the matter has been concluded or refusing to accept a decision and repeatedly arguing a point or complaining about the decision.

Approved by the BMC Board 26 October 2022