

# Complaints Policy

## 1. Complaints

Circumstances may arise where an individual has a concern and wishes to bring this to our attention. We will take all reasonable steps to resolve the situation, in everyone's best interests. We always prefer to resolve any concern informally at first but also have a formal complaints process, including a right of appeal.

### 1.1 Concerns

**If you wish to bring a matter to our attention or to discuss an issue, contact SMiRA at [info@selectivemutism.org.uk](mailto:info@selectivemutism.org.uk)**

Anyone who has a concern should initially raise this with a member of our team at the time, or contact us as detailed above as soon as possible after the event, as this enables us to respond and deal with an issue quickly.

We will seek to resolve this and meet any reasonable expectations you may have, ideally to your satisfaction. If you are not satisfied you may wish to make a formal complaint.

### 1.2 Formal Complaints

If you wish to make a formal complaint, contact SMiRA at [info@selectivemutism.org.uk](mailto:info@selectivemutism.org.uk) using the word 'Formal Complaint' as the subject heading of the email. You can also write to SMiRA at **SMiRA, London Office, 5<sup>th</sup> Floor, 167 – 169 Great Portland Street, London, W1W 5PF**. For formal complaints please mark your letter 'Private and Confidential'.

**To maintain privacy and confidentiality please do not send your complaint to multiple recipients.**

All concerns/complaints will be passed to the Board of Trustees to be dealt with by select members as appropriate to ensure fairness and avoid conflict of interest.

To help resolve the complaint as quickly and effectively as possible, please send your complaint to us as soon as possible and include the following:

- **Your name, organisation (if relevant), address, telephone number and E- mail.**
- **As much information as possible, such as what happened, where, when (date/time), who was present and any action taken, and by whom.**
- **What it is you felt to be unsatisfactory.**
- **What you believe should be done to address your concern.**

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If you do not wish to be contacted in a particular way or have any access requirements, please let us know.

Receipt will be acknowledged, if possible, within 7 working days of receipt of the complaint. The complaint will then be investigated by an appropriate appointed Trustee(s) not included within the complaint. Specialist advice/support/mediation will be sought, with your permission, if necessary. Where clarification or further information is felt to be necessary, we will contact you to request this.

If the Trustees are unable to investigate the complaint, then an independent external mediator will be engaged to review the complaint. In the event of a serious complaint SMiRA will declare a 'serious incident' and will refer itself to a regulatory body or police as appropriate, see section 6 below.

A response will be sent within 15 working days. If this is not possible, a holding reply will be sent after 15 days advising when we estimate the investigation will be completed. The complaint response will explain our findings and what action we will be taking/have taken, subject to the constraints of the Data Protection Act, which will almost certainly not allow us to disclose sensitive personal information.

## **2. Appeals Process**

If you are not satisfied with the response, you may appeal the decision, by writing to the Chairperson (or the Vice Chair or other Trustee if your complaint is about the Chairperson), the contact details of whom will be included in our response. Appeals must be submitted within 28 calendar days of receipt of our response to the complaint. Your appeal should be specific about why you feel the decision made was wrong and provide the facts and information necessary to demonstrate this.

A decision will be notified within 28 calendar days of our receipt of your appeal and will be final.

## **3. Wider Action**

Irrespective of the outcome of any complaint, we will consider if there is any requirement in respect of wider action and/or statutory reporting to the [Charity Commission](#), [H&SW Executive](#), other regulator, or the [Police](#).

Consideration will also be given to whether any changes should be made to policies, procedures and personnel training, to see if anything might reasonably be done to prevent a similar issue arising in future.

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### 3.1 Anonymous Complaints

Anonymous complaints will be recorded and any facts available investigated. Everyone involved in our work, even incidentally, has a right to complain and we will hold anyone accountable but, equally, individuals have a right to be protected from unsubstantiated and, potentially, malicious allegations.

Anyone wishing to complain is strongly encouraged to provide the information requested above.

### 3.2 Data Protection Complaints

In line with the ICO's guidance and the Data (Use and Access) Act 2025, we have a dedicated process for handling complaints relating to personal data. Anyone who believes we have not handled their personal information appropriately may raise a data protection complaint with us.

On receipt of a data protection complaint, we will acknowledge receipt of the complaint within 30 calendar days, in line with ICO guidance.

We will take appropriate steps to investigate the complaint without undue delay, including making necessary enquiries and keeping you informed throughout.

We will communicate the outcome of the complaint promptly and clearly, explaining any actions taken or decisions made.

All complaints will be handled fairly, transparently, and in accordance with our obligations under the Data Protection Act. If the complainant remains dissatisfied, they may escalate the matter to the Information Commissioner's Office (ICO).

### 3.3 Making a complaint about SMiRA shops

Complaints about the shop on our website should be addressed to [info@selectivemutism.org.uk](mailto:info@selectivemutism.org.uk) or by post as detailed above.

Complaints about our [smira.teemill.com](https://smira.teemill.com) shop: please see the terms and conditions which include the complaints procedure at [Terms of Sale | SMiRA](#).

### 3.4 Social media complaints

Complaints related to social media should be in the first instance raised through the platform using the provider policies.

## 4. Confidentiality

The complaint will be treated as confidential and any communication on this issue, including responding to the complainant, will be subject to compliance with UK GDPR.

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## 5. Vexatious Complaints

We will accept any complaint in good faith, and aim to learn from any complaint received. However, if we reasonably believe a complaint is being made on the basis of discrimination, or is a vexatious or malicious complaint, we reserve the right to refuse to consider it. Should this be the case, the decision not to investigate will be communicated in writing to you.

## 6. Complaints Procedure Dissatisfaction

Whilst we would ask that you first give us the opportunity to address your concerns, submitting a complaint to us does not preclude you also complaining to a regulator or other relevant authority, such as our charity regulator, the Charity Commission for England & Wales:

### Charity Commission

If you are dissatisfied with SMiRA's complaints process, you can contact the Charity Commission. The Charity Commission can be contacted at:

[http://www.charitycommission.gov.uk/About\\_us/Contacting\\_us/default.aspx](http://www.charitycommission.gov.uk/About_us/Contacting_us/default.aspx)

### Fundraising Regulator

If you are dissatisfied with SMiRA's response to a fundraising complaint you can contact the Fundraising Regulator (FR) (<https://www.fundraisingregulator.org.uk/>) to access their independent complaints procedure.

### Information Commissioner's Office

If you are dissatisfied with SMiRA's response to a data protection complaint you can contact the Information Commissioner's Office (ICO) <https://ico.org.uk/global/contact-us/> .

### Police

For instances of suspected illegal activity.

### This policy should be read in conjunction with the:

- SMiRA Safeguarding policy.

This policy is subject to annual review.



Date\_\_ 10.06.2026 \_\_\_\_\_ Signed \_\_\_\_\_

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Registered Charity No. 1022673

[www.selectivemutism.org.uk](http://www.selectivemutism.org.uk)

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