

1. Context and scope

Sussex Nightstop aspires to the highest standard of delivery across all its activities and our organisational policies are designed to ensure we meet that aspiration.

This policy is for anyone who, having come into contact with the service, feels we have fallen short of those high standards and wishes to make a formal complaint. This includes volunteers, guests, members of the public and staff from other agencies.

2. Principles

In carrying out this policy we will observe the following principles;

- To be clear and transparent about how to make a formal complaint
- To listen well and respond to formal complaints in a clear and timely way
- To support an early resolution of concerns; working with people to find a satisfactory conclusion to an issue before a formal complaint might be needed
- To be a learning and reflective organisation with an openness to change where needed

3. Responsibilities

Sussex Nightstop Board of Trustees have responsibility for agreeing this complaints policy and for regular review of formal complaints received. Sussex Nightstop Director is responsible for ensuring operational compliance of this policy.

4. Processing a formal complaint

4.1 All formal complaints should be directed, either verbally or in writing, to the Sussex Nightstop Director or where the complaint concerns the Director to the Sussex Nightstop Chair of Board.

Director, Alison Marino

– alison.marino@sussexnightstop.org.uk / 07887 492 927

Chair of Board, Tim Williamson

– tim@responsibletravel.com / 07814 931 340

4.2 The Director will usually deal with complaints in the first instance (excepting where they are the subject of the complaint). The Director (or Chair of Board) will outline the complaints process and where possible appropriate support and adjustments made to ensure someone can access the complaints procedure e.g. the person complaining may wish to engage a third party for support at any point of the process.

4.3 The Director (or Chair of Board) will take a full and detailed account of your complaint either by telephone or through a one-to-one meeting as appropriate. This will be put in writing and agreed as accurate.

4.3 The investigation of the complaint will be limited only to others who have been involved in the complaint. The complaint shall otherwise be kept confidential whilst it is being investigated.

4.4 The investigation and outcome of the complaint will be dealt with within ten working days. Unavoidable delays to this timescale and/or those necessary to a complete investigation will be communicated with a full explanation as to why and a reasonable adjustment to the timescale agreed.

4.5 The outcome of the complaint will be given to the complainant in writing – by email or by letter. Where the complaint relates to an individual then action taken regarding the individual who has been complained about may not be shared due to confidentiality.

4.6 If you are not happy with the outcome of your complaint you can escalate your concern to the Chairperson of Sussex Nightstop. They will look at your complaint together with the other members of the board of trustees and get back to you within 14 working days.

Sussex Nightstop is affiliated with Nightstop UK - a national governing body, who oversee the quality of individual Nightstops around the country. If you need more advice or want to appeal a decision made by Nightstop you can contact De Paul at:

Depaul UK

Sherborne House, 34 Decima Street, London, SE1 4QQ

Tel: 020 7939 1220

Website: <https://www.nightstop.org.uk/>

5. Complaints relating to data management

You have certain rights relating to the personal information we hold about you which are outlined in Appendix 1 below.

These rights apply for the period in which we process your data. None of these rights are absolute and are subject to various exceptions and limitations.

For further information on these rights visit the Information Commissioner's Office (ICO) [website](#).

If you think we have processed your personal data unlawfully or that we have not complied with the Data Protection Legislation, you can report your concerns to the supervisory authority in your jurisdiction. The supervisory authority in the UK is the Information Commissioner's Office ("ICO"). You can call the ICO on 0303 123 1113 or get in touch via other means, as set out on the ICO website – <https://ico.org.uk/concerns/>.

Policy prepared by:	Alison Marino
Approved by Board on:	4 July 2019
Policy operational on:	4 July 2019
Last review date:	March 2022

Appendix 1

- **The right to be informed** – You have the right to know about the collection and use of your personal data. We will provide this information in a timely, clear and transparent way using notices such as these, consent forms and statements. We will take time to verbally explain the content of consent forms.
- **The right of access** - Clients, volunteers and staff have the right to access personal information that is held about them by Sussex Nightstop. These requests are initiated by receipt of a Sussex Subject Access Request form (or information equivalent) and will be actioned in accordance with Sussex Nightstop Subject Access Request Policy and the legal position whereby information will be supplied within one calendar month¹ of receipt of full information other than in exceptional circumstances where Sussex Nightstop may request an extension to this period.
- **The right to rectification** - If you believe personal data we hold about you is inaccurate or incomplete, you can ask us to rectify that information. We will comply with your request within one month of receiving it and if we need longer to comply with your request we will let you know. If we have appropriate grounds to feel it not appropriate to amend information we'll let you know why.
- **The right to erasure** - In some circumstances, you have the right to ask us to delete personal data we hold about you. This right is available to you:
 - where we no longer need your personal data for the purpose for which we collected it;
 - where we have collected your personal data on the grounds of consent and you withdraw that consent;
 - where you object to the processing and we don't have any overriding legitimate interests to continuing processing the data;
 - where we have unlawfully processed your personal data (i.e. we have failed to comply with the Data Protection Legislation); and
 - where the personal data has to be deleted to comply with a legal obligation.

There are certain scenarios in which we are entitled to refuse to comply with a request; if any of those apply, we will let you know.

- **The right to restrict processing** - In some circumstances you are entitled to ask us to suppress processing of your personal data. This means we will stop actively processing your personal data but we don't have to delete it. This right is available to you:
 - if you believe the personal data we hold isn't accurate then we will cease processing it until we can verify its accuracy;
 - if you have objected to us processing the data (see below) then we will cease processing it until we have determined whether our legitimate interests override your objection;
 - if the processing is unlawful; or
 - if we no longer need the data but you would like us to keep it because you need it to establish, exercise or defend a legal claim.
- **The right to data portability** - You have the right to ask us to provide your personal data in a structured, commonly used and machine-readable format so that you are able to transmit the personal data to another data controller. This right only applies to personal data you provide to us:

¹ Calculated from the day after **you** receive the **request** (whether the day after **is** a working day or not) until the corresponding calendar date **in** the next month.

- where processing is based on your consent or for performance of a contract (i.e. the right does not apply if we process your personal data on the grounds of legitimate interests); and
- where we carry out the processing by automated means.

We will respond to your request as soon as possible and in any event within one month from the date we receive it. If we need more time, we will let you know.

- **The right to object** - You are entitled to object to us processing your personal data:

- if the processing is based on legitimate interests or performance of a task in the public interest or exercise of official authority
- for direct marketing purposes (including profiling)
- for the purposes of scientific or historical research and statistics

In order to object, you must have grounds for doing so based on your particular situation. We will stop processing your data unless we can demonstrate that there are compelling legitimate grounds which override your interests, rights and freedoms or the processing is for the establishment, exercise or defence of legal claims.

- **Rights in relation to automated decision making and profiling** – we do not carry out automated decision making and/or profiling activity.