



COMPLAINTS HANDLING GUIDANCE FOR CHARITIES AND THIRD PARTY FUNDRAISING ORGANISATIONS

Introduction

The Fundraising Regulator is the independent regulator of charitable fundraising. Part of our role is to set and promote the standards for fundraising practice in consultation with the public, fundraising stakeholders and legislators and to investigate complaints about fundraising made to us by members of the public.

Where fundraising is carried out in aid of an organisation, but no authority has been given by the charity to act in its name, we will assess on a case-by-case basis whether any responsibility can reasonably be assigned to the charity in respect of the activity concerned.

When considering complaints we receive we will investigate the substantive issues raised by the complainant as well as assessing how the organisation complained about has dealt with the complaint. We refer to organisations and not charities in this guidance because we will also investigate complaints about third party agencies contracted to fundraise on behalf of charities.

We regulate all fundraising by or on behalf of charitable, philanthropic and benevolent organisations in England, Wales and Northern Ireland¹, including:

- Charities registered with the Charity Commission for England and Wales and the Charity Commission for Northern Ireland
- Exempt Charities in England and Wales
- Other organisations with entirely or predominantly charitable, philanthropic and benevolent objectives, and
 - open membership (if there are members)
 - not-for-profit structure
 - an acceptable dissolution clause.

To assist all fundraising organisations when dealing with complaints about fundraising, we are setting out in this guidance how we define a complaint and how we expect organisations to handle complaints they receive².

¹ While the same fundraising standards apply across the UK, the way fundraising complaints are dealt with in Scotland is different from other parts of the UK. Members of the public in Scotland who wish to complain about an instance of fundraising practice by a charity registered primarily in Scotland are advised to follow the process set out by the Office of the Scottish Charities Regulator and the Scottish Council of Voluntary Organisations on the website <https://fundraisingcomplaints.scot/make-a-complaint>

² Our role as outlined above is to deal with complaints about fundraising and so this guidance is drafted in that context, however, we consider this guidance could be applied equally to all complaints.

Defining a complaint

A complaint may be generally defined as an expression of dissatisfaction, however made, about actions taken or a lack of action. Where it is unclear whether a communication is a concern or a complaint, it is generally best to err on the side of caution and treat it as a complaint.



The contents of an effective complaints process

Complaints procedures should be simple and clear. They should be easily accessible to members of the public and individuals – for example, published prominently on the organisation’s website and within an organisation to ensure employees and/or volunteers are aware of what they should do in the event that they receive a complaint and who the complaint should be passed to within the organisation.

Complaints procedures should set out accurate information about the scope of complaints that the organisation can consider and what complainants can and cannot expect from the organisation. This should include timescales and any possible remedies, for example, an apology.

Organisations should usually aim to deal with the issues raised as this is often the quickest way to resolve a complaint and identify any learning.

In the event that organisations are unable to resolve the complaint, the complaints procedures should clearly signpost individuals

to the Fundraising Regulator or the Scottish Fundraising Standards Panel.

Responding to complaints in a timely way

Complaints need to be considered and resolved as quickly and efficiently as possible.

Organisations should acknowledge receipt of a complaint and set realistic and reasonable time limits for each stage of the complaints process.

In the event that it is not possible to meet the timescales set out, organisations should ensure the complainant is kept up to date and explain the reasons for the time taken.

Investigating a complaint fairly and thoroughly

When acknowledging receipt of a complaint, organisations should explain the process that will be followed and when a decision will be made.

Where possible, organisations should ensure that complaints are investigated by someone within the organisation who is independent of the events complained about. Where this is not possible, organisations should consider whether a third party outside of the organisation should be asked to investigate the complaint.

Organisations should listen to complainants to understand the complaint and the outcome they are seeking.

Where possible, members of staff should be informed if a complaint has been made about them or actions for which they were responsible; organisations have a duty of care to staff complained about as well as to complainants. Organisations should ensure members of staff have an opportunity to respond to the allegations made.

Complaints should be investigated thoroughly and fairly to establish the facts of the case. This includes reviewing all relevant evidence



and might include speaking to any individuals complained about as well as the complainant and any third parties involved.

Reaching a decision

Organisations should provide clear, evidence-based reasons for their decisions and ensure those decisions are proportionate, appropriate and fair.



This means responding openly to all of the substantive points raised by a complainant and explaining why the organisation considers those points are justified or not.

When responding to complaints, organisations should be respectful and acknowledge the experience of the complainant, whether the complaint is justified or not.

Organisations should take responsibility for the actions of their staff and those acting on behalf of the organisation.

When responding to a complaint, organisations should acknowledge if things have gone wrong and take proportionate action to put things right, including apologising where appropriate.

This should also include telling the complainant about the lessons learnt and any changes made to services, guidance or policy as a result of the complaint.

Learning from complaints

Complaints should be regarded as a source of learning and improvement.

Organisations should keep a record of the complaints they receive, the outcomes of their investigations and the reasons for their decisions.

Organisations should review regularly the complaints they have received to identify any trends or wider learning. In reviewing the complaints they have received, organisations should consider what lessons can be learnt and how they can improve their service and the experience of donors.

Organisations should regularly report to the Senior Management Team and Board of Trustees on the number and nature of complaints received and the outcome of those complaints, including whether they have led to a change in services, policies or procedures.

Organisations in England and Wales should consider how this reporting links to the requirement outlined in the Charities (Protection and Social Investments) Act 2016, which requires registered charities that, by law, must have their accounts audited to include extra information about fundraising complaints in their annual report and accounts.

**For more information on how we handle complaints, including case studies and publications, please visit our website:
www.fundraisingregulator.org.uk**