

Model Complaints Handling Procedure for Charity Fundraising

Introduction

Having a clear fundraising complaints handling procedure in place can help your charity deal with any concerns raised quickly and easily. It also shows the public and your donors that you are committed to best practice in your fundraising.

- What is the model for?

This model Complaints Handling Procedure is for dealing with complaints from donors or potential donors about fundraising activities by Scottish charities. This model can be adopted and adapted to suit your charity's size and structure.

- Who can use it?

Charities registered **only** in Scotland who carry out fundraising activities. Charities registered in Scotland and other parts of the UK, for example, with the Charity Commission for England and Wales (CCEW), don't usually fall under the Scottish system of self-regulation for fundraising.

If you are registered with [CCEW](#) you should follow their guidance and that of the [Fundraising Regulator](#).

- What is a fundraising complaint?

A complaint is an expression of dissatisfaction with the fundraising activities of your charity or someone fundraising on your behalf.

- Do we have to use it?

No, but by doing so you're showing your commitment to best practice. If you use this model you will not need to create your own bespoke complaints process.

Whatever procedures you put in place, these should be clear, transparent and accessible. Making a complaint about fundraising should be simple.

- We have our own fundraising complaints procedure; do we have to change it?

No, but you will need to update your procedure to reflect the changes to the Scottish system of enhanced self-regulation for fundraising, specifically the inclusion of the [Scottish Fundraising Standards Panel](#).

Consider how your fundraising complaints procedure relates to your charity's wider complaints procedure, if you have one. If you don't have a general complaints procedure you might want to consider implementing one which incorporates fundraising complaints.

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Three stage process

Making a fundraising complaint in Scotland

3 stage process

1. COMPLAIN TO THE CHARITY

You should contact a charity first and they will attempt to address your complaint.

2. COMPLAIN TO THE CHARITY TRUSTEES

If you feel your complaint has not been addressed, you should then appeal to the trustees of that charity.

3. COMPLAIN TO THE PANEL

In instances where a charity and its trustees have been unable to resolve a complaint, please send it to the Independent Panel. If a breach is found, they will provide advice to the charity.

Stage 1: complain to the charity

An individual complains about fundraising undertaken by or on behalf of your charity. The person that receives the complaint tries to resolve the problem there and then.

If they are unable to solve the problem straightaway or the individual is not happy with the response, the person should either take the individuals contact details and notes of their complaint, OR provide the charity's contact details so that the individual can put their complaint in writing¹ to the charity.

Stage 2: complain to the charity trustees

This is where an individual is not happy with the resolution at stage, one the complaint should be moved onto the next stage. Ideally, the charity trustees should deal with complaints at stage 2 however, it is recognised that in many small charities the charity trustees will already have been involved at stage 1.

The charity should:

Send an acknowledgment within 5 working days of receipt.

Provide a full response within 20 working days of the acknowledgement being sent, or if this is not possible advise the individual when they are likely to get a response.

Try to address all the points of complaint when responding.

If you need to take action to address the problem, tell the individual what action you will take, why and when it will happen.

Advise the individual of the next stage in the process if they remain unhappy with the response: provide contact details for the Scottish Fundraising Standards Panel.

Stage 3: complain to the Panel

The individual escalates their complaint to the Scottish Fundraising Standards Panel.

The individual must have gone through the charities complaints process before coming to the Panel.

¹ Or make a complaint in the best way for them.

The Panel will decide if:

- ✓ The complaint is one they can look at.
- ✓ The complaint is ready for them.
- ✓ Whether there has been a breach of the [Fundraising Code of Practice](#).
- ✓ If there has been a breach, what, if any, action is needed to address the problem.
- ✓ Whether there are any regulatory matters, which should be referred to the Scottish Charity Regulator (OSCR) or in some cases the Information Commissioner's Office (ICO) where a breach of data protection is likely.
- ✓ It will then make public recommendations

Complaints handling: things to consider for your process and best practice

- Sign up to the [Fundraising Guarantee](#).
- Set reasonable time limits for people to complain.
- Set reasonable time limits for responding to complaints: 20 working days is suggested above, but depending on the size and nature of your charity time limits maybe longer or shorter.
- How to make a complaint:
 - Be clear what someone can and can't complain about.
 - Be clear about how someone can make a fundraising complaint.
- How to manage a complaint:
 - Decide who deals with it.
 - Decide how to investigate it.
 - Decide how to record it.
 - Decide how and when to escalate a complaint within your charity.
 - Decide what kinds of action the charity wants to take.
- Action to take as a result of a complaint (redress):
 - Stop fundraising contact.
 - Change fundraising contact methods for an individual.
 - Provide a refund.
 - Provide an apology.
- Learning from complaints:
 - Make changes to your fundraising practices or your complaints procedure if you need to.

Complaints process examples:

Larger charity

Stage 1:

If you have a complaint regarding our fundraising activities or approach, please contact us and we will try to resolve this right away.

If we are unable to do that, we will refer your complaint to our Head of Fundraising or similar, if available, who may be able to deal with the issue immediately.

Some complaints will require investigation before a response can be made, or you may require a formal response. In these cases, complaints will be registered as a formal complaint.

Stage 2: Formal complaints can be made verbally or in writing. They are either complaints which need to be investigated before a response can be made, or complaints which the complainant wishes to be dealt with formally.

Complaints relating to fundraising should be addressed to the Head of Fundraising. Complaints relating to other issues should be addressed to the Chief Executive.

Either manager will accept complaints addressed to them and respond in liaison with their colleagues and if necessary the Chairman of the Board of Directors.

All formal complaints will be acknowledged within five working days of their receipt.

All formal complaints will be responded to as soon as possible, but will be replied to within two weeks from the date of acknowledgement or on a date specified.

An action plan will be written and recorded for each complaint.

Stage 3: Complainants who remain unsatisfied by the complaint response have the right to refer the complaint to the [Scottish Fundraising Standards Panel](#).

Medium charity

ABC Charity is committed to delivering a high quality, accessible service to our members and others who seek our support. As part of this commitment we have a complaints procedure to allow those using our services to make suggestions for improvement.

We are keen to hear from anyone who believes we have fallen short of the standards we set ourselves. You can provide this feedback in different ways:

- call **** or visit our office in person and ask for ****
- email ***@abc.org.uk
- write to ABC Charity *****

Stage 1: We will acknowledge and provide a response within 10 working days of receiving it. We expect to be able to resolve most complaints within that timeframe, but if we need to conduct a more in-depth investigation, we will aim to provide you with a full response within 20 working days. If we are unable to meet that deadline due to exceptional circumstances, we will let you know why and when you can expect a response.

Stage 2: If you are not happy with the decision you receive, you will be given the opportunity to raise the issue with the Chairperson who will investigate and respond, normally within 20 working days.

Stage 3: If you are not happy with the decision you receive you have the right to refer your complaint to the [Scottish Fundraising Standards Panel](#).

Small charity

Stage 1: If you are not happy with the way we have handled a fundraising approach to you please tell us as soon as you can.

You can speak to the person you dealt with or phone/email/write to ***

Stage 2: If you are not happy with the decision you receive you can contact the charity trustees phone/email/write to ***

Stage 3: If you are not happy with the decision you receive you have the right to refer your complaint to the [Scottish Fundraising Standards Panel](#).

Fundraising complaint examples

“I received a call at my door from your charity asking me to donate by Direct Debit. It was 6:30 on Wednesday evening and I’d just got my baby down to sleep.”

Charity’s actions: Explained to donor charity need for donations, why that particular technique was used, what types of charity activity it funded. Also not intentionally targeting house and no idea baby asleep, apologies if caused any distress.

“I had someone at my door asking me to donate to your charity on a regular basis. When I said no they were very rude and too pushy.”

Charity’s actions: Apologised to donor as this not acceptable. We took details of incident, identified canvasser and had training session where appropriate conduct was made clear.

“I asked to be taken off your mailing list and I received further mail.”

Charity’s actions: Apologised to donor that still received communications, updated mailing preferences on database to ensure no communication, dated request, confirmed to donor that wishes be respected and would not receive mailings.

“You sent me a letter asking for a donation. You had boxes to tick suggesting how much I should donate. I want to choose myself how much to donate.”

Charity’s actions: Explained why we gave examples. Donor not happy and insisted if we mailed again with tick boxes he wouldn’t donate. We were satisfied our mailings were not in breach of code of practice but we trialed a mailing with no tick boxes it got poorer response and income. Amended his donor record to ensure he got a personalised email rather than generic appeal.

Appendix 1

Stage 1 – complain to charity

- Complaint made to charity.
- Charity responds.
- Complaint resolved?



Yes

End of process



No – stage 2

Stage 2 – complain to charity trustees

- Complaint made to charity trustees.
- Charity trustees respond.
- Complaint resolved?



Yes

End of process



No – stage 3

Stage 3 – refer to the Panel

Panel decides if there has been a breach of fundraising standards.



No breach – end of process



Breach – recommendations made to charity

Referral to OSCR or another regulator?