

BIRMINGHAM WOMEN'S AND CHILDREN'S HOSPITAL CHARITY

COMPLAINTS POLICY

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ACCEPTANCE OF COMPLAINTS POLICY

INTRODUCTION AND CONTEXT

This document sets out Birmingham Women's and Children's Hospital Charity's (the Charity) policy for the handling of complaints and the procedure to be followed by those who wish to make a complaint. The policy reflects the Charity's commitment to the Fundraising Code and the Fundraising Promise.

We recognise that occasionally people may be dissatisfied or concerned about their interactions with the Charity or its fundraisers, and we hope that problems can be reconciled between the parties concerned and resolved satisfactorily. If not, then we will deal with any complaint promptly, thoroughly, impartially and sympathetically. This will ensure the complainant is protected from victimization and harassment. All complaints will be dealt with in strict confidence.

Fundraising is performed by the Charity and selected third parties on behalf of the Charity and this policy will apply equally to complaints directly concerning the Charity and those relating to fundraising on its behalf. This policy also aims to offer redress to substantiated complaints and to enable us to revise and review our practices and correct any shortcomings that are within our control in response to concerns.

DEFINITION OF A COMPLAINT

A complaint is a report or communication, either written or verbal, from a member of the public or any other stakeholder of the Charity. This excludes employees of the Charity for whom there are internal procedures to follow.

A complaint may only relate to the work and activities of the Charity and its fundraisers, including its appointed third-party fundraisers representing the Charity and will occur where there has been a failure to meet expectations. For example:

- Failure to respond to enquiries or acknowledge a donation;
- Failure to act with appropriate professionalism and/or to an acceptable standard or quality;
- Failure to fulfil statutory or contractual responsibilities; and
- Unhelpful or discourteous staff or volunteers

Complaints related to the delivery of treatment and care by Birmingham Women's and Children's NHS Foundation Trust are not covered by this policy. All such complaints must be made to the Trust using its own complaints policy and process.

All complaints should be registered with the Charity within one month of the event leading to the complaint or of you becoming aware of a cause for complaint. However, it is recognised that each case needs to be judged individually, and for complaints that fall outside of the time limits, the Charity may exercise its discretion to apply the complaints procedure.

CONFIDENTIALITY AND ANONYMITY

Complainants are entitled to remain anonymous if they prefer. However we do suggest that individuals provide their name and contact details so that we can fully investigate the complaint and report back to them. Be assured that if a person does provide their personal details, these will be kept fully confidential, in accordance with the Data Protection Act 2018 (as amended), and only be shown to people who need to see them in order to investigate the complaint.

ADVOCATES / REPRESENTATIVES

If a person prefers to make a complaint through an advocate or representative, we are happy for them to do so, if they know full details relating to the case. If someone else writes the complaint on your behalf you will normally be asked to sign their report to confirm that the contents are accurate and true.

INFORMAL COMPLAINTS

If an informal complaint is made (i.e. verbally, bringing a matter to our attention but not wanting to make a formal complaint), we will respond verbally within seven working days, either in a face-to-face meeting or telephone conversation. This will be recorded for our records, but we will not give you a written response (unless you specifically ask for one). All formal complaints will receive a full, written response. In either case, your complaint will be taken seriously and dealt with swiftly.

HOW TO MAKE A COMPLAINT

Both formal and informal complaints should be sent by post to the Charity Office at 5 Rowchester Court, Whittall Street, Birmingham B4 6DH or by email to fundraising@bch.org.uk. In either case they should be clearly marked as a complaint. You can contact us by telephone on 0121 333 8506 but we might ask you to confirm your complaint in writing.

WHAT WILL HAPPEN NEXT?

A Complaints Officer will acknowledge the complaint within 72 hours of the Charity receiving it and may wish to discuss it with you as part of their investigation. A formal response will be sent within ten working days of the complaint being received. If this is not a final outcome then we will indicate progress so far and a likely timescale within which you will receive a full response.

Our full response will include facts that we have been able to establish through our investigation, whilst also identifying any conflicts of interest. During our investigation we will talk to all parties and any witnesses to any incident. We will then outline whether we believe the complaint to be justified and any proposals to address upheld concerns.

IF YOU ARE UNHAPPY WITH OUR RESPONSE

We will aim to resolve the issue satisfactorily for all parties concerned. However, if the complainant is dissatisfied with the response received or the way the complaint has been handled, they can request that it be raised with Trustees. The Company Secretary will liaise with a Trustee panel which will then rule on the complaint and you will receive a full written response from the Chair of Trustees within seven days of that meeting.

If you are still not happy then you may contact the Charity Commission or the Fundraising Regulator for further advice.

[Complain about a charity - GOV.UK.](#)

[Make a complaint | Fundraising Regulator.](#)

HOW COMPLAINTS WILL BE RECORDED AND USED CONSTRUCTIVELY

All complaints the Charity receives are recorded in a Complaints Log which will include:

- Date complaint received
- Date of incident
- Brief description of incident
- Preferred method of contact
- Nature / category of complaint
- Date investigation concluded
- The lessons learned
- How we will prevent the situation occurring again (where applicable and in accordance with the Code of Fundraising Practice)
- Outcomes, actions or learning that results

An Annual Report of Complaints will be received by Trustees to assess the nature and extent of complaints made in the period, how they were resolved, and to discuss any actions required to prevent similar incidents occurring in the future. The Charity is required to disclose the number of complaints in its Annual Report.

The Charity will always engage with complainants constructively and aim to make necessary improvements or put in place required training in order to prevent similar issues occurring in the future.

MALICIOUS COMPLAINTS

The Charity will accept any complaint in good faith. However, complaints made on the basis of discrimination, or malicious or vexatious complaints will not be tolerated. In order to protect its employees the Charity will investigate such complaints in a manner so as to expose such malicious intent. This will not apply to genuine complainants.

REVIEW

This policy will be reviewed periodically (approximately every three years) as part of the on-going cyclical review of all Charity policies.