

## **Complaints Handling Policy and Procedure**

Guy's & St Thomas' Foundation (the "**Charity**") is committed to resolving complaints in an appropriate, fair and timely way. We welcome feedback as this helps us to improve the way we work.

### **Purpose:**

The purpose of this policy is to set out the Charity's approach to receiving and dealing with complaints, how you can make a complaint, what you can expect from the Charity when you do so and how you can escalate a complaint if you are unhappy with the outcome. This policy applies to all areas of the Charity's activities, however there are specific procedures related to fundraising, funding and property management which should be followed if your complaint relates to one of these areas.

### **Our Approach:**

1. We are sorry if you're unhappy with anything to do with the Charity. Whilst the Charity is committed to operating to the highest standards, we recognise that there may be times when you feel that we do not achieve the level of service, or that the behaviours of our staff, trustees or those acting on our behalf are not to the standard that you expect. If you do have a complaint, please let us know so that we can try and help.
2. We recognise that it may sometimes be difficult to distinguish between the Charity and Guy's and St Thomas' NHS Foundation Trust. Guy's and St Thomas' NHS Foundation Trust is an independent organisation and you should contact them directly if you wish to make a complaint about Guy's and St Thomas' NHS Foundation Trust, any of the hospitals that it operates (Guy's, St Thomas', Guy's Cancer or Evelina London Children's Hospital) or its community services. Guy's and St Thomas' NHS Foundation Trust's complaints policy can be found at: <https://www.guysandstthomas.nhs.uk/patients-and-visitors/patients/raising-concerns.aspx>
3. We take all complaints seriously and we will be in touch as soon as we can once you've told us your concern. This policy reflects our commitment to ensuring

that we have effective and transparent procedures in place for fair and efficient handling of complaints.

4. Please be assured that making a complaint will not affect your chances of partnering with the Charity in the future or the level of service you receive from us. We will keep all complaints confidential to the extent possible, subject to the need to disclose information necessarily as part of any investigation, as required by statutory authorities such as the Charity Commission and/or as a result of legal or regulatory obligations placed on us. If you make a complaint, we will treat you with respect and we expect you to treat our staff in the same way.

### **How to make a complaint:**

#### **What is a complaint**

5. Complaints can range from an expression of dissatisfaction; to something that is the cause or subject of protest or outcry; to an allegation concerning the Charity.
6. Complaints relating to fundraising or property management activities should be directed to the organisations carrying out those activities on our behalf. These are detailed below. These organisations will instigate their own complaints policy and/or procedures. Depending on the nature of the complaint, the Charity may also decide to investigate. Some complaints may also be escalated to the Charity following the conclusion of that organisation's complaint process.
7. Complaints relating to handling of personal data should be made in accordance with the Charity's Data Privacy Statement and raised with the Charity's Data Lead at [info@gsttcharity.org.uk](mailto:info@gsttcharity.org.uk).
8. If you have a concern or issue that you do not consider amounts to a complaint, as defined above, we still want to hear from you. Please discuss the matter informally with any member of the Charity's staff as soon as possible, so that this can be addressed at an early stage, or alternatively, you can share your views with us via our "contact us" form on our website: <https://www.gsttcharity.org.uk/contact-us>

9. This policy is not for use in relation to complaints from the Charity's staff (such as e.g. cases of bullying or harassment), which are dealt with by the Charity's internal Ethical Conduct policy.
10. In addition to reporting any complaints to the Charity:
- a) if your complaint relates to actual or suspected criminal activity or raises a serious safeguarding concern which poses a threat to a person's life or wellbeing, please report this to the police; or
  - b) if it relates to actual or suspected fraudulent activity, this can be reported to ActionFraud at [http://www.actionfraud.police.uk/report\\_fraud](http://www.actionfraud.police.uk/report_fraud) or call 0300 123 2040.

### **How to get in touch**

11. If you would like to make a complaint, the best way to do this is by email. You can contact us at: **complaints@gsttcharity.org.uk**.

Alternatively, if you would prefer to write to us, please address your complaint to:

Complaints Management (Private and Confidential)  
Guy's & St Thomas' Foundation  
Francis House  
9 King's Head Yard  
London SE1 1NA

If you cannot make your complaint in writing, you can reach us by phone on:  
020 7089 4550

### **What to cover**

12. In order to help us to effectively investigate your complaint, please could you set out the facts in as much detail as you can, as clearly as possible. In particular, please tell us:
- a. what happened;

- b. when it happened;
- c. who you dealt with;
- d. why you consider this to be a complaint; and
- e. what you would like us to do to address your complaint.

13. Please be aware that we will keep your complaint and any information or document you disclose to us confidential. We will only disclose information internally or to our external advisors to the extent necessary to investigate your complaint effectively.

Please see the **Your Personal Information** section below for more details.

### **What we will do**

14. We take complaints seriously and all complaints will be investigated. We will take action in response to any failures identified by the complaint or investigation, if applicable.
15. We aim to respond to your complaint within 10 Business Days of receiving it:
- a. if we have been able to resolve the complaint within that time, we shall include details of this and shall treat the matter as closed.
  - b. If a complaint requires further investigation, we will acknowledge receipt of your complaint and set out set who will be dealing with the complaint and their contact details (the "**Complaint Lead**").
16. The Complaint Lead will investigate your complaint competently, diligently and as impartially as possible. They may need to speak to you further to gather such additional information as necessary in order to assess your complaint. They will consider the subject matter of the complaint, whether they consider the complaint should be upheld and, if so, what remedial action or redress the Charity may consider appropriate.
17. The Complaint Lead will usually advise you of their findings and the Charity's conclusion within 30 days of the acknowledgement of receipt of your complaint. If we are unable to give a definitive response within that timeframe,

for example because an investigation has not been fully completed, we send a progress report with an indication of when a full reply will be given.

### **Next steps**

18. If you are not happy with our response, please let us know as soon as possible. Your complaint will be escalated to the Charity's Chief Executive (or the Charity's Chair, if the complaint relates to the Charity's Chief Executive), who will carry out a review and let you know the outcome within 30 days.

The decision taken at this stage is final.

19. If you remain dissatisfied with our response, please refer to the Charity Commission's guidance publication 'CC47 Complaints About Charities' to see if they will investigate your complaint further (<http://www.charitycommission.gov.uk/publications/cc47.asp>) or contact them at: [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk); or in writing at: Charity Commission, PO Box 1227, Liverpool, L69 3UG

### **Complaints regarding Fundraising**

20. The Fundraising & Supporter Development Department ("**FSD**") within King's College London ("**KCL**") provides the fundraising function for the Charity on our behalf. KCL also act as data processor for the Charity in relation to fundraising activities, and in this capacity have access to, and some control of how personal and financial data is collected, used, stored and transferred. KCL, in performing the fundraising services function on behalf of Charity, are the primary conduit for receiving all communications from supporters of the Charity.

21. If your complaint relates to fundraising, please contact KCL in the first instance, this can be done via:

- The dedicated Supporter Care telephone line: 020 7848 4701
- Email: [info@supportgstt.org.uk](mailto:info@supportgstt.org.uk) or [info@supportevelina.org.uk](mailto:info@supportevelina.org.uk)
- Post: The Fundraising & Supporter Development Department, Virginia Woolf Building, 22 Kingsway, London, WC2B 6LE

22. KCL will deal with your complaint through their own complaints handling procedure (available on request)).

23. If you are not satisfied with KCL's response to your complaint, you are entitled to take it to the Fundraising Regulator. Their contact details are:

- Email: [enquiries@fundraisingregulator.org.uk](mailto:enquiries@fundraisingregulator.org.uk)
- Post: 2nd floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AH
- Telephone: 0845 402 5442 or 0300 999 3407
- Website: <https://www.fundraisingregulator.org.uk/>

24. If you feel that KCL has failed to follow its own complaints policy or procedure in the handling of your complaint or you have concerns about how your complaint was handled, you may refer this to the Charity in accordance with the complaints procedure as outlined at clauses 10-11 above.

### **Complaints regarding Funding**

25. We work hard to ensure that the assessment of applications and management of funding is done in a fair and consistent way.

26. Please note that we will not usually consider complaints concerning decisions about whether to offer a grant or social investment, withdraw a grant or decline a grant or social investment application, including the amount of funding offered. We will only consider complaints where you feel maladministration has taken place – for example, we have failed to follow our published procedures in our application process.

27. If you do not feel that we have followed our applicable processes correctly or there has been mismanagement, please follow the complaint procedure as outlined at clauses 10-11 above.

### **Complaints about organisations funded by the Charity**

28. If your complaint relates to an organisation that has been funded by the Charity (a "**Funded Organisation**"), please direct your complaint directly to that organisation to handle in accordance with its own complaints policy and procedure.

29. If you feel that the Funded Organisation has failed to follow its own complaints policy or procedure in the handling of your complaint or you have concerns

about how your complaint was handled, you may refer this to the Charity in accordance with the complaints procedure as outlined at clauses 10-11 above.

### **Complaints relating to Property Management**

30. The Charity contracts out its property management activities to an approved set of professional services firms ("**Managing Agents**"). These firms each have their own complaints policies which should be followed in the first instance, details of which are available on their own websites. Their respective procedures include escalation measures if you are unhappy with the outcome of their investigation into your complaint. If the Managing Agent is regulated by the Royal Institute of Chartered Surveyors ("**RICS**") (which will be evident from their website), you may be able to escalate your complaint to RICS for review, if necessary (phone: 020 7695 1670 or email: [complaints@rics.org](mailto:complaints@rics.org)).
31. If you feel that the Managing Agent has failed to follow its own complaints policy or procedure in the handling of your complaint or you have concerns about how your complaint was handled, you may refer this to the Charity, in accordance with the complaints procedure as outlined at clauses 10-11 above.
32. If you have a complaint relating to other property matters, please raise these directly with the Charity in accordance with the complaints procedure as outlined at clauses 10-11 above.

### **Accessibility**

33. Please contact us to discuss any specific communications needs you may have.

### **Your personal Information**

34. If you use our complaints policy and procedure, you are agreeing that we can use any personal information you send us for purposes connected with your complaint.
35. If you make a complaint to KCL, a Funded Organisation or a Managing Agent, which relates to the Charity or work/activities funded by the Charity, by doing so you are agreeing that they can share your concerns with us.

36. We can usually only investigate complaints where the identity of the complainant is known so that it is possible to go back and verify information if needed. When an anonymous complaint is received of a serious nature, the Charity may consider investigating if there is enough information to guide further enquiries.

### **The Charity's Internal Record-Keeping Requirements**

37. The details of any complaint received by the Charity (including name of complainant and details of the complaint) and the measures taken for its resolution will be logged in a complaints' register which is maintained centrally by the Charity's Legal Counsel.

38. The Finance and Audit Committee of the Charity will review a summary of complaints annually to establish whether there are any trends or patterns that the Charity should be aware of, and for which an improvement is required.

### **Regulatory and legal bodies**

39. The Charity may decide or be required to pass a complaint onto regulatory or legal authorities (e.g. the Charity Commission or the police), for example, if there is a reasonable basis to suspect that an organisation or individual have acted illegally or if the Charity considers the complaint amounts to a Serious Incident that should be reported to the Charity Commission.

**Date of next review:** September 2022

**This policy shall be reviewed by the Board every 3 years.**

### **Version Control:**

Version	Date	Author & Job Title	Status & Level of Approval	Changes
1.1	14/8/19	HP – legal counsel	Approved	Authoring

1.2		GW – Executive Director of Communications and Engagement (job share)	Awaiting approval	Minor amends to copy
1.3	3/6/21	HP – legal counsel		Minor amends to copy and removal of reference to TEC.