

SOAS Internal Fundraising Complaints Procedure
For members of staff and volunteers to report concerns regarding SOAS’
fundraising practice

1. Introduction

SOAS is registered with the Fundraising Regulator and as such adheres to the Fundraising Promise which can be found [here](#) on our website. SOAS’ fundraising practice is run by the Development Alumni and External Engagement Directorate (**SOAS Fundraising**).

SOAS commits to being clear, honest, open and respectful when fundraising. SOAS also commits to being:-

- fair and reasonable in all interactions with donors and potential donors; and
- accountable and responsible in the way we fundraise.

If, for any reason, you feel that SOAS has failed to uphold these standards while engaging in fundraising please see below which outlines how you can make a complaint.

2. Scope of Procedure

This procedure is designed to enable members of SOAS staff and volunteers to report any concerns they may have regarding SOAS’ fundraising practice by raising a complaint.

The type of issues that can be raised include, for example, general issues with the management of a fundraising matter and, frequency of or content of communications with donors.

If the complaint is one which the individual believes shows malpractice or serious wrongdoing, then the complaint may need to be dealt with under SOAS’ Whistleblowing Policy (attached as Appendix 1) (**Whistleblowing Policy**) rather than under this procedure. The Director of Governance and Legal Services at SOAS decide which procedure is most appropriate for each individual complaint having considered the nature of the complaint.

3. SOAS Internal Fundraising Complaints Procedure

As a SOAS staff member or volunteer how can you complain about SOAS’ fundraising practice?

- In order to lodge a complaint **you need to contact the Director of Governance and Legal Services in writing within 12 weeks of the fundraising incident or communication of which the complaint is made**, giving details of any issues or concerns;
- The Director of Governance and Legal Services will then decide whether your complaint should be dealt with under the SOAS Whistleblowing Policy (covering

serious concerns about malpractice or serious wrongdoing) or under this internal fundraising complaints procedure (covering concerns about SOAS' fundraising practice);

- Should the Director of Governance and Legal Services decide that the complaint does not need to be dealt with under the SOAS Whistleblowing Policy, then the following procedure shall apply:

3.1 SOAS Internal Fundraising Complaints Procedure – complaints about SOAS fundraising practice from members of staff and volunteers

- 3.1.1 The Director of Governance and Legal Services shall refer your complaint to the Director of Development, Alumni and External Engagement for investigation (unless the complaint is about the Director of Development, Alumni and External Engagement - in which case the Director of Governance and Legal Services, Registrar, or a Pro-Director of SOAS shall deal with the complaint directly);
- 3.1.2 Upon receipt of any fundraising complaint from you as a SOAS member of staff or volunteer, SOAS Fundraising will log the complaint and start the process of investigating the complaint;
- 3.1.3 SOAS Fundraising shall provide its response to the Director of Governance and Legal Services in writing within **21 working days** of receiving notification of the complaint from the Director of Governance and Legal Services;
- 3.1.4 The Director of Governance and Legal Services shall then provide SOAS' response to you. This shall normally be provided **within 28 working days** of the Director of Governance and Legal Services acknowledging receipt of your complaint;
- 3.1.5 If you are not satisfied after you have received a response from the Director of Governance and Legal Services you have the right to refer your complaint directly to the Fundraising Regulator. Their contact details are:

Fundraising Regulator

2nd floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AH

T: 0300 999 3407

E: enquiries@fundraisingregulator.org.uk

The online complaints form can be accessed [here](#).

3.2 The following conditions shall apply to the SOAS Internal Fundraising Complaints Procedure:

- 3.2.1 All reasonable steps should be taken to deal with your complaint as expeditiously as possible;
- 3.2.2 SOAS will treat all complaints in a confidential and sensitive manner. Your identity may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and you may need to provide a written statement as part of the evidence required.
- 3.2.3 If you make a complaint in good faith, which is not confirmed by subsequent investigation, no action will be taken against you. If, however, the investigation shows that you have made malicious or vexatious allegations, and particularly if you persist with making them, disciplinary action may be taken against you;
- 3.2.4 Any victimisation or harassment of you as the complainant will be treated by the School as serious disciplinary matter.

3.3 What happens if an individual makes a complaint and internal consideration by SOAS is not possible?

In the extremely unlikely event that SOAS is not able to consider the complaint internally an individual can refer the complaint direct to the Fundraising Regulator by contacting the Fundraising Regulator:

Fundraising Regulator

2nd floor, CAN Mezzanine Building, 49-51 East Road, London, N1 6AH

T: 0300 999 3407

E: enquiries@fundraisingregulator.org.uk

The online complaints form can be accessed [here](#)

Appendix 1 – SOAS' Whistleblowing Policy

Whistleblowing Policy

(Approved 1998, amended August 2002)

1. Introduction

The School is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner taking into account the requirements of the funding bodies and the standards in public life set out in the reports of the Nolan Committee.

Normally any concern about a workplace situation should be raised with the employee's immediate manager or Head of Department; in the case of students, concerns would normally be raised through the complaints procedures. However, it is recognised that because of the seriousness and sensitivity of some issues, together with the knowledge of who the employee (or student) thinks may be involved in wrongdoing, this may be difficult or even impossible.

The Public Interest Disclosure Act gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns provided that they are disclosed under procedures identified in the Act. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. However, where an individual discovers information which they believe shows malpractice/wrongdoing within the organisation then there should be identified procedures to enable the individual to disclose the information without fear or reprisal, and it may be necessary for the disclosures to be made independently of line management.

This policy sets out arrangements for individuals to raise serious concerns about malpractice or serious wrongdoing in ways which will protect them from reprisal. This policy is intended to meet the requirements of the Act but it goes further in two aspects. Firstly, it extends the list of concerns where a protected disclosure may be made beyond those identified in the Act. Secondly, it extends protection for disclosure beyond employees to students and to other members of the School.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or serious wrongdoing provided that they make the disclosure in accordance with the policy. It is not designed to question financial or business decisions taken by the University nor may it be used to reconsider any matters which have already been addressed under harassment, complaint or disciplinary procedures. Individuals who make disclosures outside the arrangements set out here will not be protected under this policy and may not be protected under the Act.

2. Scope of Policy

This policy is designed to enable employees or other members of the School to raise concerns or disclose information at a higher level which the individual believes shows malpractice.

A number of policies and procedures are already in place including grievance, discipline, complaints and guidelines for dealing with harassment. This policy is intended to cover concerns which are in the public interest and may (at least initially) be investigated separately but might then lead to the using of such procedures. These might include:

- financial malpractice or impropriety or fraud
- failure to comply with a legal obligation
- dangers to health and safety of the environment
- criminal activity
- miscarriage of justice
- academic malpractice
- improper conduct or unethical behaviour
- attempts to conceal any of the above

This is not intended to be a comprehensive list and any matters raised under this policy will be considered seriously.

3. Safeguards

Protection

This policy is designed to offer protection to those employees or other members of the School who disclose such concerns provided the disclosure is made:

- i. in accordance with the procedures laid down
- ii. in good faith, and
- iii. in the reasonable belief of the individual making the disclosure that it tends to show malpractice.

Confidentiality

The School will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the School.

In exercising this discretion, the factors to be taken into account will include:

- the seriousness of the issues raised;
- the credibility of the concern; and

- the likelihood of confirming the allegation from alternative credible sources.

Untrue allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, the investigation shows that an individual has made malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against the individual concerned.

4. Procedures for Making a Disclosure

Initial Step

The individual should make the disclosure to the Secretary & Registrar (the designated person). If, however, the disclosure is about the Secretary & Registrar then the disclosure may be made either to the Director & Principal or the Chair of Governing Body.

If the individual does not wish to raise the matter with any of the above then they may raise with the Chair of the Audit Committee. The names of the Chair of Governing Body and the Chair of Audit Committee are published in the Calendar and their addresses may be obtained from the Director & Principal's office.

Initial Response

In all cases, the person to whom the concern has been made should acknowledge its receipt in writing to the whistleblower at his/her home address, and record the subsequent action taken. The person to whom the concern has been made will make a preliminary investigation, normally by appointing someone who has not previously been involved in the case or is unlikely to subsequently be involved, and will report on the findings to the Chair of the Audit Committee. This process will normally be completed within a period of three working weeks.

Outcomes

The probable outcomes of this process are as follows:

- i) if, on preliminary examination, the concern is judged to be wholly without substance or merit, it will be dismissed.
- ii) if it is judged that a prima facie case may exist, the matter will normally be dealt with in accordance with the School's discipline procedure or as otherwise may be deemed appropriate according to the nature of the case.

In all instances in which a concern leads to disciplinary proceedings, the person or persons in respect of whom it is made shall be informed of the concern and the evidence supporting it and be allowed to comment on it before proceedings are concluded. All concerns including those dismissed after preliminary examination and the outcome of their investigation shall be reported to the Audit Committee. The outcome shall also be reported to the whistleblower.

5.

The following conditions shall apply:

- i) all reasonable steps should be taken to deal with the matter as expeditiously as possible
- ii) all reasonable steps will be taken to protect the confidentiality of whistleblowers unless they waive their rights to confidentiality or it is deemed that through the nature of the concern raised, such confidentiality is incompatible with the implementation of fair disciplinary proceedings. In such cases those who raise the concern should be informed that no further action can be taken without their agreement to waive their rights to confidentiality;
- iii) any reprisals against or victimisation of the whistleblower will be treated by the School as serious disciplinary matter.