

# BBC complaints framework

## **Procedure no. 2: Fair Trading complaints and appeals procedures**

October 2014

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# Fair Trading complaints and appeals

## What is a fair trading complaint?

- 1.1 Since the launch of *Radio Times* in 1923, the BBC has engaged in commercial activities, with the explicit aim of supporting its public purposes. The principles by which the BBC undertakes commercial activity or interacts with the commercial market place are set out in the Trust's Fair Trading Policies and Framework<sup>1</sup>.
- 1.2 A "**fair trading complaint**" is a complaint about the way the BBC has interacted with commercial markets or conducted its commercial activities. A complaint can be about public service activity or the activities of the BBC's commercial subsidiaries. Typically, a complaint may arise from a perceived failure to comply with the BBC's Fair Trading Policies and Framework which you may like to consult if you are considering making a complaint. These are available at: [http://www.bbc.co.uk/bbctrust/governance/regulatory\\_framework/fair\\_trading.html](http://www.bbc.co.uk/bbctrust/governance/regulatory_framework/fair_trading.html)
- 1.3 Possible grounds for making a fair trading complaint include any suggestion that the BBC has exploited its position as a publicly funded body to secure special advantage in commercial markets. For instance, this could include the suggestion that the BBC has used public funds (i.e. the licence fee) to subsidise commercial ventures, or that a BBC department has unduly favoured one of the BBC's commercial subsidiaries over its competitors.
- 1.4 This document sets out the Procedure that will normally apply if you make a fair trading complaint to the BBC<sup>2</sup>.
- 1.5 An appropriate fair trading complaint may proceed through up to two stages:
  - Stage 1— a response from the BBC's Fair Trading complaints panel which is appointed by the Executive Fair Trading Committee (EFTC)<sup>3</sup>. In most cases, the complaints panel will appoint the Head of Fair Trading and Competition Law as case officer to investigate your complaint.
  - Stage 2 – if your complaint qualifies for an appeal, the BBC Trust<sup>4</sup> will respond.

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<sup>1</sup> [http://www.bbc.co.uk/bbctrust/governance/regulatory\\_framework/fair\\_trading.html](http://www.bbc.co.uk/bbctrust/governance/regulatory_framework/fair_trading.html)

<sup>2</sup> Complaints about the editorial content of BBC programmes or other public services (such as [bbc.co.uk](http://bbc.co.uk)) should be made through the Editorial Complaints Procedure ([www.bbc.co.uk/complaints](http://www.bbc.co.uk/complaints)). Complaints about the editorial content or standards of commercial BBC publications, such as books and magazines, should also be made via this route.

<sup>3</sup> The EFTC is a subcommittee of the BBC's Executive Board established to consider fair trading complaints.

<sup>4</sup> This footnote explains references to the BBC Trust and the BBC Executive. The BBC Trust is part of the BBC and is its governing body. The BBC Trust sets the overall strategic direction of the BBC and has general oversight of its work. The BBC Executive is responsible for delivering the BBC's services in accordance with the priorities set by the Trust and is responsible for all aspects of operational management except that of the Trust's resources.

- 1.6 If you are dissatisfied with the response you have received from the complaints panel, you can ask for it to be considered by the BBC Trust. Details of how to do this, and an explanation of which complaints may move to this next stage, appear below.
- 1.7 If your complaint primarily relates to issues of competition law, you may also complain directly to the Office of Fair Trading or Ofcom as the relevant competition authorities in the UK. The European Commission is the appropriate authority to hear complaints relating to state aid.
- 1.8 The BBC wants its complaints process to be fully accessible and will do whatever is reasonably possible to make it open to all. Complaints can be made via the BBC website, by telephoning BBC Audience Services on 03700 100 222, by text phone on 03700 100 212 or by writing to the BBC at BBC Complaints, PO Box 1922, Darlington, DL3 0UR. If you require assistance with any of these methods of contact, the BBC will be happy to help where possible.

### **Complaints that the BBC may not investigate**

- 1.9 A complaint may not be investigated under this procedure either by the BBC Executive or the Trust if it:
  - 1.9.1 fails to raise an issue of breach of the Fair Trading Policies and Framework<sup>5</sup>; or
  - 1.9.2 is trivial, misconceived, hypothetical, repetitious or otherwise vexatious.
- 1.10 Everyone involved in making or handling a complaint will treat each other with respect, and will not use gratuitously abusive or offensive language, whether in their complaints or otherwise. If a complaint contains such language, the BBC may invite you to reword your complaint before investigating it. If you do not reword your complaint, the BBC may not investigate it.
- 1.11 If the BBC Executive decides not to investigate your complaint for one or more of the reasons set out in paragraphs 1.9 and 1.10 above, it will explain to you why it has decided not to investigate the complaint and you can write to the BBC Trust Unit (address below) and ask the Trust to review that decision. The Trust will follow its usual complaints admissibility procedure as outlined in paragraphs 3.1 to 3.13 below.
- 1.12 If the Trust agrees with you, the Executive will be directed to investigate your complaint. If the Trust does not agree with you, the Trust's decision is final.
- 1.13 Please see the Annex to this procedure for further guidance on complaints which the BBC may not investigate.

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<sup>5</sup> Please note that, although a complaint that does not raise an issue of breach of the Fair Trading Policies and Framework will not be handled under this procedure, appropriate complaints may instead be considered under the BBC's other complaints procedures (eg editorial or general complaints).

## How to complain

### Stage 1

#### 2.1 You must make your complaint in writing to the Head of Fair Trading and Competition Law as follows:

- By email: [fairtrading@bbc.co.uk](mailto:fairtrading@bbc.co.uk); or
- By post: Head of Fair Trading and Competition Law  
BC2 A6  
Broadcast Centre  
London  
W12 7TP

If you are unable to put your complaint in writing or have any other access issues, please contact BBC Audience Services on 03700 100 222 or textphone 03700 100 212.

**If you do not direct your complaint as specified above, the BBC cannot guarantee that your complaint will be replied to.**

#### 2.2 Your complaint should include sufficient detail including:

- 2.2.1 full details of your complaint (giving reasons why you are dissatisfied with the BBC) and any supporting documentation;
- 2.2.2 reference to relevant sections of the BBC's Fair Trading Policies and Framework which you think may have been breached; and
- 2.2.3 your contact details.

The inclusion of these details (or as many of them as possible) is very important. A failure to provide them may mean that the BBC is not able to look into your complaint.

#### 2.3 While there is no specific word limit, if your complaint exceeds 1,000 words you must also provide a one page summary of your complaint.

#### 2.4 Your complaint should also include all of the points about the matter that you wish to be considered as the BBC may not consider new or different points after Stage 1 of the Procedure has concluded.

#### 2.5 If you stipulate that information submitted as part of your complaint should not be made available to any member of the BBC's Executive Board or other BBC staff please contact the Head of Fair Trading and Competition Law. The Framework Agreement requires the BBC to always have in place arrangements to secure that such a stipulation is not breached<sup>6</sup>.

#### 2.6 After submitting your complaint with the above information, the EFTC will appoint a complaints panel in relation to your complaint. The complaints panel will

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<sup>6</sup> See Clause 90(8)-(9) in the Agreement.

comprise a majority of non-executive directors of the BBC. The complaints panel will normally appoint the Head of Fair Trading and Competition Law as the case officer who will investigate your complaint. If the Chair of EFTC or the Head of Fair Trading and Competition Law believes there is a conflict of interest in the Head of Fair Trading and Competition Law investigating your complaint, an alternative case officer will be appointed.

- 2.7 The case officer will acknowledge your complaint within 10 working days of receipt of your complaint. The acknowledgement will explain the procedure that will apply to your complaint. You may also be asked to supply further information before the complaint can be investigated.
- 2.8 The case officer will investigate your complaint. The extent of the investigation will be fair and proportionate having regard to the nature and seriousness of the issues raised.
- 2.9 If the case officer decides not to investigate your complaint, you can write to the BBC Trust (address below) within 20 working days of the date on which you received the case officer's decision and ask the Trust to review that decision. If the Trust agrees with you, the case officer will be asked to investigate your complaint. If the Trust does not agree with you, the Trust's decision is final.
- 2.10 After your complaint is investigated, the case officer will present the findings to the complaints panel for its adjudication.
- 2.11 Following adjudication by the complaints panel, the Chair of the complaints panel will outline its findings to you. The complaints panel aims to reply within 30 working days of the date on which all relevant information has been received from you, though some complaints take longer than others to investigate. If your complaint is taking longer to investigate, you will be informed and told how long the investigation is likely to take.
- 2.12 If your complaint is:
  - 2.12.1 upheld, the case officer will instruct the Division concerned to remedy any breaches and ensure that they are not repeated:
  - 2.12.2 not upheld, an explanation of this decision will be provided and you will be informed of how to take your complaint further.
- 2.13 The conclusions reached and actions taken in respect of a complaint considered by the complaints panel will be published in the Fair Trading Complaints Bulletin<sup>7</sup> which is located at:  
[http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/fairtrading/complaints\\_bulletins.html/](http://www.bbc.co.uk/aboutthebbc/insidethebbc/howwework/policiesandguidelines/fairtrading/complaints_bulletins.html/)

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<sup>7</sup> This is a quarterly bulletin which is approved by EFTC and published on the BBC's website. The handling of complaints at the BBC is also scrutinised by the Trust typically at the time of the Annual Report (May) and at mid-year (September).

## Stage 2 – Requesting an appeal to the BBC Trust

- 3.1 If you are dissatisfied with the reply at Stage 1, you can request an appeal to the BBC Trust<sup>8</sup> **within 20 working days** of the date on which you received the response at Stage 1. If you write after that time, please explain in your letter why your appeal is late. Exceptionally, the Trust may allow appeals within 40 working days of the Stage 1 reply, if it decides there was a good reason for the delay.
- 3.2 Fair trading appeals are normally the responsibility of the Trust's Complaints and Appeals Board (CAB)<sup>9</sup>, so references here to the Trust include references to the CAB.
- 3.3 Please write to:

trust.editorial@bbc.co.uk

OR

BBC Trust Complaints Adviser  
The BBC Trust  
180 Great Portland Street  
London, W1W 5QZ

If you are unable to put your request in writing or have any other access issues please contact the BBC Trust for assistance on 03700 103 100 or textphone 03700 100 212.

- 3.4 Your appeal request should clearly and concisely set out in writing —
- a summary of your original complaint, including details of how the BBC has allegedly breached the Fair Trading Policies and Framework;
  - copies of any relevant correspondence with the BBC;
  - the points that you raised at Stage 1 that you want the Trust to reconsider and why you are dissatisfied with the reply at Stage 1. The Trust will not consider new points unless, exceptionally, it is necessary to do so in the interests of fairness.<sup>10</sup>
- 3.5 This appeal request is particularly important. The Trust is not obliged to consider every appeal requested (see below) and your letter will be the main basis on which it decides whether to consider your appeal and (if it does) will also form the basis of its investigation.

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<sup>8</sup> The BBC Trust is part of the BBC, and is its governing body. Its functions include setting the strategic direction of the BBC, supervising the operational activities of the BBC Executive, and holding the Executive to account for complying with regulatory requirements such as the Fair Trading Policies and Framework and Editorial Guidelines. The Trust Unit consists of BBC staff who advise and assist Trustees under the management of the Trust.

<sup>9</sup> The members of the CAB are BBC Trustees. More details can be found on the BBC Trust website. It is the Trustees' job to ensure that a complaints framework is in place, complaints are properly handled by the BBC Executive and that there is a route of appeal to the Trust in some cases. The CAB assists with this responsibility. For a full account of the CAB's role and responsibilities, please see its Terms of Reference, available on [www.bbc.co.uk/bbctrust](http://www.bbc.co.uk/bbctrust) or in hard copy from the Complaints Adviser, BBC Trust Unit.

<sup>10</sup> Please note that appeal requests will be considered in the light of the complainant's previous correspondence with the BBC, so it will not normally be necessary for complainants to repeat facts and arguments already set out previously.

- 3.6 The Trust Unit will acknowledge your request for an appeal within 5 working days of receipt of your appeal.
- 3.7 **The Trust is not obliged to consider every appeal brought to it, and is the final arbiter if any question arises as to whether an appeal is for the Trust to determine or not.**
- 3.8 Table 1 sets out some of the factors considered by the Trust in reaching a decision whether or not to give substantive consideration to an appeal, (whether at all, or not before further action has been taken), and indicates the actions the Trust will normally take.

<b>Table 1</b>	
<b>Consideration</b>	<b>Trust actions</b>
<p>Complaint has not been considered by the Executive at Stage 1.</p> <p>(This does not apply to (i) complaints that relate to anything the Trust itself or the Trust Unit has or has not done, but these are dealt with under a different Procedure: see Complaints about Handling and Complaints about the Trust, Trust Unit and Trustees; and (ii) complaints where the Executive has decided not to investigate and on appeal the Trust has upheld that decision.)</p>	<p>Either—</p> <ul style="list-style-type: none"> <li>• return it to the complainant with an explanation that it cannot determine complaints in the first instance, or</li> <li>• pass it to the Executive for handling, and inform the complainant.</li> </ul>
<p>Complaint has not been investigated sufficiently or at an appropriately senior level or additional investigation would provide clarity before Trust consideration.</p>	<p>Refer complaint back to the Executive.</p> <p>(The complainant will still have the right to request an appeal to the Trust following this further investigation by the Executive.)</p>
<p>The Trust determines a complaint should not be investigated after reviewing and upholding a decision at a previous stage of the process not to respond further.</p>	<p>The Trust's decision is final and it would not consider a further request for review.</p>
<p>Appeal raises legal issues or matters within the remit of external authorities.</p>	<p>The Trust will not normally consider an appeal that is or has been the subject of legal correspondence with the BBC, or if legal proceedings have been issued, or if the appeal is appropriate for consideration by an external authority (such as the Office of Fair</p>

- 3.9 **The Trust will only consider an appeal if it raises “a matter of substance”.**<sup>11</sup> This will ordinarily mean that in the opinion of the Trust there is a reasonable prospect that the appeal will be upheld as amounting to a breach of the Fair Trading Policies and Framework. In deciding whether an appeal raises a matter of substance, the Trust may consider (in fairness to the interests of all licence fee payers in general) whether it is appropriate, proportionate and cost-effective to consider the appeal.<sup>12</sup> The Trust may not consider an appeal that is trivial, misconceived, hypothetical, repetitious or otherwise vexatious. The Trust may also decline to consider an appeal which includes gratuitously abusive or offensive language if the complainant refuses to reword it after being invited to do so.
- 3.10 The Trust is not a competition authority. If your complaint involves an allegation of breach of competition law, you will be informed of relevant external authorities who will be better suited to deal with the allegation and to whom you may complain.
- 3.11 The Trust Unit will write to you if their conclusion is that your appeal does not qualify, and explain the reasons for that. If you disagree with that view then you may ask the Trust to consider your request **within 10 working days of the date on which you received the Trust Unit’s initial reply**. You should clearly and concisely set out why you disagree with the Trust Unit’s decision. You should provide your reasons for disagreement in one piece of correspondence if possible (rather than in several pieces of correspondence).
- 3.12 In considering whether or not to take an appeal, the Trust may decide to take only part of the appeal, and consider only some of the issues raised.
- 3.13 If your appeal qualifies to be considered by the Trust, you will receive a letter explaining the process and setting out the timescale for taking your appeal. Any subsequent change to the timescale will be clearly communicated and explained. Additional information may also be requested from you at this stage and you will be asked to respond within 15 working days. This is important as information provided at this stage may be significant in deciding your appeal.

### How is an appeal prepared?

- 3.14 Once it is agreed that the Trust will consider an appeal the Trust Unit will start an independent consideration of the appeal. Both you and the BBC Executive will be treated as separate parties to the appeal. During the investigation, additional information or advice may be requested or commissioned from you, from the BBC Executive or from external advisers. The Trust Unit will ensure that any advice for the Trust is provided by advisers who are separate from, and independent of, any advisers providing advice in relation to your complaint to the BBC Executive.

<sup>11</sup> Under the Charter and Agreement, the Trust has a role as final arbiter in appropriate cases, and must provide a right of appeal in cases that raise a matter of substance.

<sup>12</sup> For example, if an appeal raises a relatively minor issue that would be complicated, time-consuming or expensive to resolve, the Trust may decide that the appeal does not raise a matter of substance, and decline to consider it.

- 3.15 During the investigation, or when it is completed, the Trust Unit may share with the parties material (or a summary of it) that it considers is, or may be, relevant to its decision, such as evidence provided by either party or material derived from any further investigation or advice. The Trust Unit will not share anything of a commercially sensitive nature or which is provided to the Trust subject to restrictions as to who it can be shown to without prior consent.<sup>13</sup> Parties should note, however, that the Trust's ability to test evidence submitted and therefore to determine all or part of an appeal may be constrained if either party refuses to give such consent.
- 3.16 Before the Trust Unit shares information with both parties, you will usually be given an opportunity to comment on the proposal to share and asked to respond within 10 working days of receipt of the proposal. In such circumstances, the normal timetable for considering your appeal will be extended by an equivalent amount.

### **What is the process for considering an appeal?**

- 3.17 Your appeal will be considered by the relevant Committee of the BBC Trust. Normally, this will be a Panel of the CAB. Where the Trust considers an alternative and more appropriate process is available, the matter may be dealt with under such a process at the Trust's discretion.
- 3.18 The relevant Committee will assess your appeal based on all of the material before it, including any comments made by the parties on material shared under paragraph 3.15 above.
- 3.19 After reaching a decision, the Chair of the relevant Committee will write to you with its finding explaining its reasons.

### **Hearings**

- 3.20 The Trust does not normally hold hearings (i.e. inviting parties to put their case to the Trust in person) although in exceptional circumstances and at the Trust's discretion it may decide to allow it.
- 3.21 If, exceptionally, the Trust decides to hold a hearing, you will normally be given at least 25 days' notice of the date, and you will be informed in advance about the procedure to be followed.

### **How does the Trust take its decision on an appeal?**

- 3.22 If your appeal proceeds, the Trust will look at all sides of the argument and come to an independent decision.
- 3.23 The Charter and Agreement give the Trust a range of options in deciding the approach to take in investigating and deciding appeals. The nature of the appeals that come before the Trust varies widely and different appeals call for different approaches. For example, sometimes the Trust will find it necessary to look in detail at the background to a matter and any factual issues it raises, and may

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<sup>13</sup> In particular, under the Agreement, clause 90, the Trust will ensure that where any person who provides information to the Trust in connection with a fair trading complaint stipulates that the information must not come into the possession of any member of the Executive Board or any member of the BBC's staff (other than a member of staff of the Trust), the BBC always has in place arrangements to ensure that neither the Trust nor any member of the Trust discloses that information.

appoint independent advisers to help it. It is up to the Trust to decide which approach is appropriate, proportionate and cost-effective in relation to your appeal, and in making that decision it will take account of all relevant circumstances, including its role as the final arbiter in appropriate cases, its duty to exercise rigorous stewardship of public money, and its duty to hold the BBC Executive to account for the BBC's compliance with applicable regulatory requirements and the general law.

- 3.24 The relevant Committee will aim to consider your appeal within 30 working days from the date the Trust decides that your appeal qualifies to be considered (see paragraph 3.13 above), although this may take longer depending on the nature of the Trust's investigation. If the process is likely to take longer, you will be informed and told by when the Trust is aiming to reply to you.
- 3.25 The Trust will come to one of the following findings on your appeal: upheld; upheld in part; not upheld; or already resolved (where an error has occurred and the Trust is satisfied that the Executive has acknowledged a problem and already dealt appropriately with the matter).
- 3.26 Subject to any constraints about commercial confidentiality, you and the BBC Executive will usually be given up to five working days to comment upon errors of fact in the finding or significant errors of process in reaching that finding. Any comments should be detailed in no more than 1,000 words. In exceptional circumstances longer comments will be entertained. In that case, however, you should identify the reasons why your comments exceed 1,000 words and provide a one page summary of your comments. This also applies to any comments from the BBC Executive. The Chairman of the relevant Committee will consider any comments made on behalf of the Committee. His/her decision is final.

### **What happens if an appeal is not upheld?**

- 3.27 When an appeal is not upheld, you will be provided with a full explanation of the Committee's reasons.
- 3.28 Exceptionally, the Trust may defer an appeal and request further analysis if it feels there is insufficient evidence to make a judgement.

### **What happens if an appeal is upheld?**

- 3.29 When an appeal is upheld the Trust may:
- (a) require the Executive to take any appropriate remedial action to guard against the breach occurring again and/or consider appropriate disciplinary action, and to report back to the Trust; and/or
  - (b) publish its findings on the Trust website (subject to commercial sensitivity and confidentiality considerations), including any directions to the Executive on remedial action. The bulletin of the Trust's findings is published on the BBC Trust website at:  
[http://www.bbc.co.uk/bbctrust/our\\_work/complaints\\_and\\_appeals/fair\\_trading.html](http://www.bbc.co.uk/bbctrust/our_work/complaints_and_appeals/fair_trading.html) or is available by phoning 03700 103 100 or textphone 03700 100

212. Given the commercial sensitivity of some fair trading complaints full disclosure of information may not always be appropriate.

### **Complaints about handling by the BBC Executive and the Trust**

- 4.1 The BBC Executive and the Trust will make every effort to handle your complaint in accordance with this Procedure. Sometimes, however, you may be dissatisfied with how your complaint has been handled and may wish to make a complaint about it.
- 4.2 You can make a complaint about the way in which your complaint has been handled as part of your correspondence about your fair trading complaint or separately. You should make a handling complaint **within 20 working days of your last correspondence with the BBC Executive or the Trust** (though this time limit will not apply where you have not received any reply from the BBC Executive or the Trust).
- 4.3 For further details of the procedure that is applied to complaints about handling please see:  
[http://www.bbc.co.uk/bbctrust/contact\\_us/complaints/complaint\\_trust.html](http://www.bbc.co.uk/bbctrust/contact_us/complaints/complaint_trust.html)

# Examples of complaints that the BBC may not investigate

- 1.1 As prescribed by the BBC's Royal Charter, complaints to the BBC have an important role to play and the complaints framework is intended to provide appropriate, proportionate and cost effective methods of dealing with complaints. Accordingly, there are some instances where it would not be proportionate for us to devote substantial time and resources to cases that are not a proper use of the complaints procedure. For this reason we may decide not to investigate the kinds of complaints mentioned in paragraph 1.9.2 above (i.e. complaints that are trivial, misconceived, hypothetical, repetitious or otherwise vexatious). Examples include but are not limited to complaints which –
  - 1.1.1 Repeat a complaint that has already been dealt with, either in correspondence with the individual concerned or through a general response posted on a BBC website;
  - 1.1.2 Relate to a matter within the editorial and creative discretion of the BBC, eg the scheduling of programmes or casting;
  - 1.1.3 Raise a trivial issue, such as a grammatical error;
  - 1.1.4 Are not supported by any reasons for complaining (as required by paragraph 2.2.1 in the main document above) or where applicable in some cases, evidence in support of a complaint.
  - 1.1.5 Appear to have been made simply to cause offence or annoyance, or waste the BBC's time and resources.
- 1.2 This list is not exhaustive; the BBC has a wide discretion to cease handling complaints under this ground. The BBC will, however, tell you why it has decided not to investigate your complaint.

Annex 2 describes the BBC's Expedited Complaints Procedure which may be used for complainants who persistently and repeatedly make complaints of a vexatious or other nature.

# Expedited Complaints Procedure

## Reproduced from Annex B to Protocol E3 – Complaints Framework

- 1 The Expedited Complaints Procedure may be used at any stage of the BBC's Complaints Procedures, whether by BBC Audience Services or the relevant BBC department responding to a complaint; the Editorial Complaints Unit (ECU) or the relevant BBC Division; or the BBC Trust.
- 2 The BBC Executive and the Trust may use this Procedure only where a complainant has a history of persistently or repeatedly making content or handling complaints which:
  - (a) are trivial, misconceived, hypothetical, repetitious or otherwise vexatious;
  - (b) fail to raise an issue of breach of any relevant Guidelines or Policies (eg in the case of an editorial complaint, the Editorial Guidelines; in the case of a fair trading complaint, the Trust's Fair Trading Policy and the BBC Executive's Fair Trading Guidelines);
  - (c) use gratuitously abusive or offensive language;
  - (d) are shown on investigation to have no reasonable prospect of success; or
  - (e) after rejection of the complaint at an earlier stage (eg Stage 1), are persistently and repeatedly appealed unsuccessfully to the next stage (eg Stage 2).
- 3 If one of the conditions in paragraph 2 above is met, the BBC Executive or the Trust may determine that the complainant should, for a specified period of time, be subject to the following Procedure:
  - (a) The complainant should be notified in writing that the Expedited Complaints Procedure will be applied to their future complaints. This notice must include the following information:
    - (i) a copy of this Procedure (via a web link or in hard copy);
    - (ii) the reasons why this Procedure is being applied;
    - (iii) for how long this Procedure will be imposed (the maximum limit is two years); and

- (iv) that the complainant may request an appeal - over the decision to apply this Procedure - to the BBC Trust within 20 working days of being informed of that decision.
- (b) After the complainant is notified that this Procedure will apply, his/her future complaints must continue to be read and treated in the following way:
  - (i) If a future complaint meets any of the conditions in paragraph 2 above, the complaint does not require acknowledgement and it may be rejected without notifying the complainant or providing any reasons; or
  - (ii) If a future complaint does not meet any of the conditions in paragraph 2 above, and in fact raises an issue of breach of any relevant Guidelines or Policies, that complaint should be investigated in accordance with the usual Complaints Procedure that applies.

<b>Version</b>	<b>Date of publication</b>	<b>Approved by the Trust</b>	<b>Summary of changes since previous version</b>
1.0	August 2008	22 May 2008	n/a
1.1	May 2010	18 February 2010	This document has been updated to fit in the new protocol format and to fix minor typographical points and to make it clear how it sits with the BBC Trust protocol 'E3 complaints framework'.
1.2	26 June 2012	24 May 2012	<p>Following a review and period of consultation, the Complaints framework has been revised to make the process faster, simpler and easier to understand.</p> <p>For a detailed explanation of the changes we have made to the Complaints framework and associated procedures as a result of this, please see our response document:  <a href="http://www.bbc.co.uk/bbctrust/governance/complaints/framework/framework_review.html">http://www.bbc.co.uk/bbctrust/governance/complaints/framework/framework_review.html</a></p> <p>This procedure will apply to any new complaints received from 26 June 2012 at any stage of the process (e.g. a complaint which is escalated to stage 2 after 26 June 2012 will be treated under the new procedures).</p> <p>As part of this review, the associated procedures have been renumbered.</p> <p>In addition, section 2 of this procedure has been expanded to clarify the extent of confidentiality obligations and section 3 of this procedure has been updated to explain that Fair Trading complaints are heard by the Complaints and Appeals Board (CAB).</p>
1.3	26 November 2012	22 November 2012	The postal address for the Controller, Fair Trading, has been amended.
1.4	October 2014	22 May 2014	This document was updated following a review of the BBC's Complaints Framework. The review was conducted to make some amendments following the implementation of the previous version, to improve the running of the BBC's complaints system. The amends involved replacing some of the finer detail which had been removed during the previous review.