

Complaints Policy

VERSION: JULY 2020

1. PURPOSE OF THE POLICY

- 1.1 To clarify the Diocese's policy regarding the handling of complaints. This policy covers clergy, parishioners, volunteers and visitors. Complaints raised by members of staff in relation to their employment are dealt with under the Grievance policy. Please note the existence of a separate Whistleblowing Policy.
- 1.2 The Diocese aims to treat all complaints with courtesy and fairness and to deal with them promptly. Information about the complaint will be handled sensitively and only shared where necessary for the investigation and resolution of the complaint. Please note the existence of a separate Whistleblowing Policy.

2. GENERAL

- 2.1 A complaint is a formal expression of dissatisfaction about an action (or lack of action) by a person acting on behalf of the Diocese, or about the policies and procedures of the Diocese. It may or may not be justified.
- 2.2 All complaints must be submitted in writing or by e-mail, even if the initial approach was made by telephone or in person.
- 2.3 Complaints will not be dealt with unless they set out the following:
 - the name of the person who is being complained about and/or the name of the event that is being complained about;
 - details of when and where the issue of concern took place;
 - details of any witnesses;
 - details of what has been done to try and resolve any concerns;
 - an indication of what might resolve any concerns;
 - details of who else the matter has been reported to;
 - any additional information; and
 - confirmation that the complainant agrees that the complaint and the supporting documentation may be provided to the person complained about – should it be necessary to do so.

- 2.4 All written complaints will be recorded and kept on file. The COO will arrange for a report to be submitted annually to the Trustees as appropriate, summarising the nature of the complaints received and how they were resolved.

3. TYPES OF COMPLAINTS THAT ARE NOT COVERED BY THIS POLICY

- 3.1 Complaints about harm to children or adults at risk: please refer these directly to the Parish Safeguarding Representative and/or Diocesan Safeguarding, safeguarding@abdiocese.org.uk.

- Where there is immediate danger, all such concerns should always be referred directly to the Police or Social Services.

- 3.2 Complaints relating to schools: please use the individual school's own complaints process which should be available on its website.

- 3.3 Complaints relating to clergy or local church matters, including sacramental preparation: we recommend that efforts are made in the first instance to resolve the complaint informally with the person and then be escalated for the attention of the Dean.

- 3.4 Complaints about the use of your personal information. Please contact dpo@abdiocese.org.uk or:

Data Protection Officer
Diocese of Arundel and Brighton
Bishop's House
The Upper Drive
Hove BN3 6NB

4. TIMEFRAME AND HANDLING OF COMPLAINTS

- 4.1 All complaints must be raised within 3 months of the incident occurring, unless there are exceptional extenuating circumstances.

- 4.2 There is no restriction on who can bring a complaint. However, in some cases we may receive a number of inter-related complaints or a number of people may make the same complaint. In those circumstances, we may decide to consolidate the investigation into the complaints or deal with the earliest complaint first. The approach will depend on the nature of the complaints and the timing and receipt of the complaints.

- 4.3 Complaints received in person or by telephone by employees or volunteers should be handled as follows:

- determine what informal steps have been taken;
- refer to the complaints procedure and offer to send a copy by e-mail or post.

- 4.4 If they have already tried resolving the complaint informally and now wish to take the matter further, ask the complainant to submit a written account by letter or e-mail.

- 4.5 Forward the following information to the Chief Operating Officer:

- the complainant's name, address and telephone number;
- the relationship of the complainant to the Diocese;

- brief facts about the complaint.

4.6 It is important that you are aware of the procedure that will generally be followed should you wish to disclose information regarding the above.

5. RESOLVING COMPLAINTS – INFORMAL STAGE

5.1 Where possible a complaint should be resolved by the person responsible for the issue being complained about. He/she should be willing to listen, to discuss the matter and seek to satisfy any justified concerns.

5.2 If the complainant remains unhappy, the person responsible for the issue being complained about should arrange for concerns to be discussed with a more senior colleague. If any aspects of the issue remain unclear, the matter can be considered by the COO.

6. FORMAL STAGE

6.1 At this stage, the complaint will be passed on to the Chief Operating Officer, who can be contacted at coo@abdiocese.org.uk or:

Chief Operating Officer
Diocese of Arundel and Brighton
Bishop's House
The Upper Drive
Hove BN3 6NB

6.2 The fact that the complaint has been classed as “formal” should be acknowledged within three calendar weeks. The acknowledgement should confirm who is dealing with the complaint and say when the complainant can expect a reply. A copy of this complaints policy should be attached.

6.3 A suitably senior person should be appointed to investigate the facts of the case by reviewing the paperwork and speaking to anyone who may have been involved with both the incident and with dealing with the complaint. If the complaint relates to a specific person, he/she should be informed and given an opportunity to respond. If relevant, the person who dealt with the original complaint at the informal stage should be updated of what is happening. A log must be kept.

6.4 Ideally, complainants should receive a definitive reply within 28 days of acknowledgement. A progress report containing an indication of when a full reply can be expected should be sent if, for example, the investigation cannot be fully completed in the time limit.

6.5 Irrespective of whether the complaint is considered justified or not, the reply to the complainant should outline the investigation process, the decision reached and confirmation of whether any action has been taken. It does not necessarily need to contain details of that action. In fact, where disciplinary action is deemed appropriate, no details should be given.

6.6 Occasionally people will take positions where the matter cannot be resolved. However, the aim should be to ensure that the process is seen to be fair and respects all those involved.

6.7 The decision at this stage is final, unless the Trustees decides it is appropriate to seek external assistance with resolution.

6.8 There is no right for complainants to appeal against the outcome of the investigations into Diocesan staff, Trustee or volunteer conduct. This is because we believe that all individuals in

these groups who are under investigation need certainty that if an investigation has been finished, it will conclude the matter. However, if new evidence comes to light that has not previously been submitted that should be provided to the investigator who will determine whether further investigation is necessary.

6.9 If the investigator concludes that a complaint has been made vexatiously or in bad faith, the Diocese reserves the right to take appropriate action.

6.10 The complainant reserves the right to make their concerns known to the Bishop in writing.

7. EXTERNAL STAGE

7.1 The complainant can complain to the Charities Commission at any stage. Their website provides full details of how to do this and explains that their involvement is limited to issues that pose a serious risk of significant harm to a charity's beneficiaries, assets, services or reputation: www.gov.uk/government/publications/complaints-about-charities

8. VARIATION ON THE COMPLAINTS PROCEDURE

8.1 The Diocesan Board of Trustees may vary the process outlined above for good reason. For example, it may be necessary to avoid a conflict of interest which would arise if the COO was asked to lead the formal process investigating a complaint about the COO.

8.2 Please note that Religious Orders operating in some of our parishes might have their own complaints policies and we reserve the right to refer specific complaints through this route if this would be more appropriate. In such instances, the complainant will be formally notified in writing and alternative contact details will be provided.

Approval

This policy was approved by the Diocesan Board of Trustees on:
The next review is due by:

8 July 2020
31 July 2022