



St Albans Diocesan Board of Finance

COMPLAINTS POLICY

Approved by:	Diocesan Board of Finance
Policy originator:	David White, Diocesan Secretary
Accessible at:	Complaints Policy - The Diocese of St Albans (stalbandsdiocese.org)
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The Board recognises that from time to time complaints will arise.

The Board aims:

- to have a fair complaints process that is simple to use and understand;
- to be open about how we will deal with complaints;
- to ensure all complaints are investigated fairly and in a timely way;
- wherever possible to resolve complaints locally rather than centrally, and informally rather than formally;
- to gather information which helps us to improve what we do;
- to respect confidentiality.

There are specific policies or procedures relating to:

1. **Complaints about diocesan church schools** where a separate policy is available at:
http://www.stalbans.anglican.org/wp-content/uploads/1969/12/complaints_policy_summary1.pdf
2. **Complaints relating to local parochial matters**, where the matter should be referred to the PCC;
3. **Complaints from staff**, who should use the Board of Finance's grievance procedure;
4. **Complaints from members of Clergy** where it is a grievance relating to the exercise of the office held. The Archbishops' Council has set out a Code of Practice and supportive advice for dealing with grievances;
<https://www.churchofengland.org/sites/default/files/2018-10/gs1775-draft%20code%20of%20practice%3A%20grievance%20procedure.pdf>

5. **Complaints regarding members of clergy.** From time to time 'complaints' or issues of concern about individual members of clergy are brought to the attention of the Bishop or to members of their Bishop's Staff. These issues may not result in, or warrant, any sort of formal process; but it is important that each is followed up appropriately through due process, and that all parties are afforded the opportunity to share or report their concerns. The Diocese will ensure that time is set aside to gain a clearer picture of all the issues raised, that individuals have opportunities to put their views, that where it is possible reconciliation is achieved, and that decisions about any further actions are made only when there is clarity of objective information/evidence.

Complaints against members of the clergy in St Albans Diocese under the Clergy Discipline Measure should be addressed to the Bishop of St Albans and sent to Abbey Gate House, 4 Abbey Mill Lane, St Albans, AL3 4HD.

If other complaints processes apply, for example, bullying and harassment, or allegations of serious misconduct, they may be considered under the Clergy Discipline Measure.

<https://www.stalbans.anglican.org/wp-content/uploads/2015/04/AC-1.4.pdf>

6. **Complaints concerning Safeguarding.** The safeguarding complaints procedure cannot be used to make a safeguarding referral and if you consider a child or vulnerable adult *may* be at risk of harm you should contact the person to whom you are responsible or the Diocesan Safeguarding Adviser:

Mr Jeremy Hirst
Diocesan Safeguarding Adviser
Holywell Lodge
41 Holywell Hill
St Albans AL1 1HE
Tel: 01727 818107 (office hours)
Email: safeguarding@stalbans.anglican.org

In an emergency, if you consider a child or vulnerable adult is at risk of *immediate* harm call the police on 999 or Adult or Children's Services. You should also contact the Diocesan Safeguarding Adviser within 24 hours.

If you have a concern about how a safeguarding referral has been addressed use this policy to make a complaint. For complaints the procedure below should be followed with any investigation being undertaken by a member of the Diocesan Safeguarding Advisory Panel.

For complaints the procedure below should be followed:

Definition of a complaint

A complaint is a verbal or written expression of dissatisfaction, whether justified or not. It is not:

- A request for, or the submission of, information
- A question about a policy or procedure
- A report about an incident

Informal Approach

In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. Most matters can and should be resolved informally and locally.

If, for example, a person is dissatisfied with the service they have received, then in the first instance they should tell that person of their dissatisfaction. He or she should be willing to listen, to discuss the matter and seek to satisfy the concerns where justified. If a person remains unhappy, the member of staff will arrange for the concerns to be discussed with a more senior member of staff.

If following the informal process the complainant remains dissatisfied or the informal route is inappropriate, then the formal procedure should be followed.

Submission of Complaint

A formal complaint can be submitted by email or in writing. It should be sent to:

The Diocesan Secretary, Holywell Lodge, 41 Holywell Hill, St Albans AL1 1HE

Email: dwhite@stalbans.anglican.org

or, in the case of a complaint against a member of the clergy under the Clergy Discipline Measure, to:

The Bishop of St Albans, Abbey Gate House, Abbey Mill Lane, St Albans AL3 4HD

Email: bishop@stalbans.anglican.org

It is our policy that we will not investigate unsubstantiated complaints.

Resolving Complaints

There may be an informal stage for complaints received against members of clergy in which the relevant Archdeacon handles a complaint and attempts to achieve resolution, providing the outcome of the complaint in writing.

Informal Stage (complaints against a member of the clergy)

INFORMAL COMPLAINT PROCESS

The Archdeacon may refer any complaint to the Bishop of St Albans at any time if they believe it to be more serious than first thought or if they uncover further information that places the complaint into one of misconduct. The complainant could be someone else with proper interest, who is willing or able to make the complaint, or the Archdeacon themselves: proper interest must be evidenced.

There is no strict time limit, and it is recognised that parties may try to resolve some disagreements themselves before engaging with this process. However, complaints should not be unduly delayed, and the Archdeacon will consider at the outset whether it remains appropriate to deal with a complaint about a matter which took place more than one year earlier.

When a complainant with a proper interest makes a complaint under this procedure or where the Archdeacon thinks the procedure is appropriate, they will in the first instance encourage both parties to contact the Diocese Dispute Advisory Service if they have not already done so.

If this is not successful, then they will meet with the complainant(s). If there is only one complainant, then they should be offered the option to bring a friend or family member with them for support. The Archdeacon will hear what they have to say and ask them what resolution they are seeking.

The Archdeacon will also meet with the member of clergy about whom the complaint is made. They will seek to understand their side of events and what resolution may be possible. If no misconduct has been identified, then it will be made clear to the member of clergy that it is not a disciplinary issue.

At all meetings, Archdeacons are advised to have someone else present who is able to take notes.

The Archdeacon may make reasonable directions about how the complaint may be expressed, for example confirming a word limit for a written complaint.

The Archdeacon will seek a resolution to the complaint and offer mediation where appropriate. The outcome of the complaint will be provided in writing to both the complainant(s) and the member of clergy.

The Archdeacon's decision is final and there is no right of appeal for either the complainant or the member of clergy.

Formal Stage

- Complaints will be acknowledged by the person handling the complaint, normally within 10 working days. The acknowledgement will say who is dealing with the complaint and when the person complaining can expect a reply.
- A suitably senior person may be appointed to investigate the facts of the case. This may involve reviewing the paperwork of the case and speaking with anyone who may have been involved in dealing with the complaint at the informal stage.
- If the complaint relates to a specific person, they should be informed and given an opportunity to respond. The person who dealt with the original complaint at the informal stage should be kept informed of what is happening where appropriate.
- In the event of a complaint against the Diocesan Safeguarding Team and or in relation to safeguarding procedures the Diocesan Secretary will arrange for the complaint to be reviewed and/or investigated by a suitably qualified and experienced member of the Diocesan Safeguarding Advisory Panel.
- Ideally complainants should receive a definitive reply within 28 days. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.
- Whether the complaint is upheld or not, the reply to the complainant will describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint. Where disciplinary action is deemed appropriate, the reply to the complainant will not include details relating to individual staff member's employment record.

- It should be recognised that in some instances people will take positions where the matter cannot be resolved. However, the aim will be to ensure that the process respects those involved and is just in providing an active concern to those who are vulnerable, marginalised or oppressed.
- The decision taken at this stage is final, unless the Bishop or the Board of Finance decides it is appropriate to seek external assistance with resolution.
- A log of the complaint will be kept.

External Stage

The complainant can complain to the Charity Commission at any stage. The Commission's involvement in looking at complaints is limited to issues that pose a serious risk of significant harm to a charity's beneficiaries, assets, services or reputation. Information about the kind of complaints the Commission can involve itself in can be found on their website at www.charitycommission.gov.uk/publications/cc47.aspx.

Variation of the Complaints Procedure

The Board may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for example, a complaint about the Chair should not also have the Chair as the person leading the formal process.