

COMPLAINTS POLICY

1 Introduction

The primary purpose of the Church Society complaints procedure is to provide a clear process for dealing with complaints relating to decisions taken by its staff, trustees, committees or boards, including those who are appointed on a voluntary basis.

2 General Principles

We are mindful that all people make mistakes and that a formal complaint should be a last resort. Our desire is that, wherever there are concerns relating to actions taken by Church Society or interactions with our staff or volunteers, those with concerns will do all they can to seek an informal resolution, rather than escalating their concerns into a formal complaint.

We recognise that in some cases there will be no alternative but to make a formal complaint. This formal procedure should only be instigated when attempts to resolve the issue informally have failed or where, due to the nature of the complaints, it is not appropriate to address it with the person concerned.

3 Who can bring a complaint?

Anyone may make an informal or formal complaint against a member of Church Society staff or one of our volunteers. If we receive a number of inter-related

complaints or a number of people may make the same complaint, we may decide to consolidate the investigation or to deal with the earliest complaint first. The approach will depend on the nature of the complaints and the timing of receipt of the complaints.

4 What types of complaints will be considered?

Church Society will consider complaints about:

- i. The application of our procedures or decisions which directly relate to the complainant.
- ii. The conduct of our staff.
- iii. The conduct of trustees and others who are appointed to serve on a voluntary basis on our boards, committees, or working groups.

5 What type of complaints will not be considered?

Church Society can not consider:

- i. Complaints about the conduct, performance, or behaviour of an accredited Minister or Church Worker in church. Each church and diocese ought to have an appropriate complaints procedure in place for such occasions, and **serious complaints against clergy can be referred to the Church of England's official procedures**. While we are always happy to hear from people in the churches where we have a patronage interest, it is not our place to handle complaints or safeguarding issues in individual parishes.
- ii. Complaints which are unrelated to the activities of Church Society itself.
- iii. Complaints about our decisions or actions which do not relate directly to the complainant.

Church Society may not consider:

- iv. Complaints raised which do not comply with the requirements of this procedure may not be dealt with. In this case, the complainant will be sent a copy of the complaints procedure.

6 How to make a complaint

6.1 Complaints regarding application of procedures or decisions made

A complaint must be made in writing and must set out as much as possible of the following information:¹

- i. The actions you are complaining about;
- ii. Their relationship to Church Society;
- iii. When they took place;
- iv. Why you think the actions are wrong;
- v. Details of what you have done to try and resolve your concerns;
- vi. What you consider would resolve your concerns;
- vii. Details of who else you have reported the matter to;
- viii. Any additional information;
- ix. Confirmation that you are happy for detail of your complaint and the supporting documentation to be provided to those who have made the decisions in question.

¹ A Complaint Form to capture this information is available from the Church Society website. This form can be used if it is helpful, but it is not required.

6.2 Complaints regarding Church Society staff, trustees and other volunteers serving on our committees, boards, or working groups

A complaint must be made in writing and must set out as much as possible of the following information:²

- i. The name of the person you are complaining about;
- ii. The events you are complaining about;
- iii. Details of when the events took place;
- iv. Details of where the events took place;
- v. Details of any witnesses to the issues of concern;
- vi. Details of how this relates to Church Society;
- vii. Details of what you have done to try and resolve your concerns;
- viii. What you consider would resolve your concerns;
- ix. Details of who else you have reported the matter to;
- x. Any additional information; and
- xi. Confirmation that you are happy for detail of your complaint and the supporting documentation to be provided to the person complained about should it be necessary to do so.

6.3 In all cases

Any supporting documentation that exists should also be enclosed.

Your complaint will not be dealt with unless you provide all of the information set out above. **Please note that we strongly advise against the use of public forums and social media for making complaints and generally negative comments about the things you are complaining about, particularly before and during the complaints procedure. Any such public statements or interactions may be taken into account during the complaints procedure.**

6.4 Where to send a complaint

The complaint should be clearly marked "Formal Complaint" and sent to the Chair of the Church Society Council (chair@churchsociety.org). If the complaint relates to actions of the Chair, it should be sent to the administrator (admin@churchsociety.org) who will forward it to one of the Vice-Chairs. The Chair or Vice-Chair will be responsible for ensuring that the appropriate actions are then taken in investigating and responding to the complaint.

² A form to capture this information is available from the Church Society website.

7 Handling the complaint

7.1 Initial response

The complaint will be acknowledged in writing or by email within 5 working days. The Chair will appoint an investigator or instruct the Director³ to appoint an investigator to look into your complaint. Depending on the nature and scope of the complaint this might be someone from within Church Society or from an independent external body. You will be told who will be appointed to investigate. The complaint will then be reviewed by the investigator.

The person investigating will seek to:

1. Establish what has happened and when it happened and who else was involved;
2. Meet with the Complainant or contact them if there is a need for clarification regarding the complaint or further information is required;
3. Following the initial information and any discussions with the Complainant, unless prevented by law or because it would prejudice any further investigation, those complained about will be informed of the nature of any allegations, regardless of whether any further action or investigation is required;
4. Interview those involved and those complained about, where necessary to understand their account of events;
5. Keep notes of all investigatory interviews;

7.2 Complaints regarding application of procedures or decisions made

Once the investigation is concluded the investigator will decide whether the complaint is well founded and inform the complainant of their decision and the action to be taken. Where any aspect of the complaints are upheld the investigator should also specify the actions suggested to remedy the situation.

The details and records of any complaint will be securely held by Church Society for a period of 10 years after its conclusion.

7.3 Complaints regarding Church Society staff conduct

³ If the complaint is against the Director, the Chairman will appoint an investigator; if it is against both the Director and the Chairman, the Council will appoint, or direct someone to appoint, an investigator.

If the person investigating concludes that the evidence suggests that conduct worthy of disciplinary action may have taken place, the issue will be dealt with under the Staff disciplinary processes.

7.4 Complaints regarding Church Society trustees and others who are appointed to serve in a voluntary capacity on a board, committee, or working group

If the person investigating concludes that the evidence suggests that misconduct may have taken place, the issue will be referred to a panel of three Council members unconnected with the matter under investigation to consider the evidence and to come to a decision within 30 days. If the complaint is upheld, the appropriate actions will be taken.

If it would be impossible for three Council members to reasonably be considered independent one or more of them could be replaced with suitable members from within Church Society, or from an independent, external body. This may change the timescale for coming to a decision.

The panel may choose to invite the complainant or the person complained about to address the panel, but are not required to do so. Such a decision will be communicated to the complainant and to the person complained about within 5 days of the panel's decision. The panel will also inform the Charities Commission if circumstances require.

Where the person complained about is a member of the clergy, they may also be referred to parish or diocesan procedures. The complainant will be informed if the matter is being dealt with in this way.

8 Timescales

Following receipt of each complaint the Director⁴ will, within 21 days, give the Complainant an estimate of their expected timescale for dealing with the complaint.

Where, as the investigation proceeds, it is not possible to meet those timescales, an updated timeline for dealing with the complaint will be provided.

⁴ Or the person acting in their place.

The more complex the complaint, the longer the timescale is likely to be. In some cases it may take several months to properly investigate and respond to a complaint.

If the subject matter of the complaint has also been referred to the Police it may be that our investigation into the complaint cannot commence or be completed until the Police have completed their investigations and either decided not to proceed or a Court decision has been taken. Our approach in these cases will depend on the particular circumstances of the case. Similarly, if complaints have also been made to parish or diocesan safeguarding or complaints procedures, it may be inappropriate for us to investigate separately. The complainant will be informed if we consider this to be the case.

9 What if you are unhappy with the outcome of the investigation?

9.1 Complaints regarding application of procedures or decisions made

You will have the right to appeal any decision on a complaint on these issues. Written notice of intention to appeal should be made within 14 days of the date the outcome of your complaint was sent to you. The appeal itself should be made within a further 14 days. The appeal should be in writing and must be sent to the person outlined in §6.4, above, who will arrange for your appeal to be considered by someone other than the person who took the initial decision (where possible).

The appeal must set out:

- i. Your grounds of appeal; and
- ii. What you consider would resolve your concerns.

9.2 Complaints regarding the conduct of staff, trustees, and those in voluntary appointments

There is no right for Complainants to appeal against the outcome of the investigations into Church Society staff, trustee, and volunteer conduct. This is because we believe that individuals in these groups who are under investigation need certainty that if an investigation has concluded it will conclude the matter.

If new evidence comes to light that has not previously been submitted that should be provided to the original panel, who will determine whether further investigation is necessary in light of that evidence.

10 Vexatious Complaints

If the panel concludes that a complaint has been made vexatiously or in bad faith, Church Society reserves the right to take the following actions:

- In all cases: to inform the complainant that this is how the complaints are being seen, the reasons why, and the consequences of this.
- In the case of Church Society members who have made complaints: to report to Church Society Council that the member has been found to have made a vexatious complaint, or has made a complaint in bad faith, and that they may wish to consider suspending or removing the member from the Society because of this.

11 Contact by complainant

Once a formal complaint has been made, you should avoid any ongoing discussion or correspondence with the person you have complained about relating to your complaints without the consent of the investigator.

Please note that we strongly advise against the use of public forums and social media for making complaints and generally negative comments about the things you are complaining about, particularly before and during the complaints procedure and any appeal. Any such public statements or interactions may be taken into account during the complaints procedure.

12 Confidentiality

The fact of and content of your complaint will be kept confidential save in so far as is necessary in order for us to properly investigate the complaint and reach a decision relating to it, unless we are aware that you have not treated the fact or content of your complaints as confidential.

Please note that we expect you to maintain reasonable confidentiality as to the nature and content of your complaint so that the investigator is able to work without obstruction.

If you, or others, make public statements, contact the press, or use social media forums to complain about the situation or our handling of it under these processes, we reserve the right to respond publicly to any allegations or statements.

13 Further Complaints

As a registered charity, Church Society is accountable to the Charity Commission for England and Wales. Serious complaints can therefore be made to the Charity Commission⁵ where appropriate.

The Police can also be contacted about allegations of harm and abuse. **In serious cases where vulnerable adults or children are involved, the Police ought to be contacted first before any complaint is made to us.**

14 Accountability

Members of Church Society Council and our Honorary Officers are accountable to and elected by the membership of Church Society at our Annual General Meeting, in accordance with our Articles of Association. Details can be found on our website.⁶

This policy should be taken alongside other relevant Church Society policies including the Safeguarding Policy, the Code of Practice for trustees and other

⁵ <https://forms.charitycommission.gov.uk/raising-concerns/>

⁶ <https://www.churchsociety.org/about-us/our-vision/>

officers, and the Social Media policy. All these policies are available at <https://churchsociety.org/society/page/policies>

This procedure draws on the complaints procedure of the Baptist Union which can be found here:

https://www.baptist.org.uk/Groups/269026/Complaints_Procedure.aspx