

## **Complaints Policy**

The Diocese of Bath & Wells views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person that has made the complaint.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint
- To make sure everyone at the diocese knows what to do if a complaint is received
- To make sure all complaints are investigated fairly and in a timely way
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired and reconciliation explored
- To gather information which helps us to improve what we do

### **Definition of a Complaint**

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Diocese of Bath & Wells.

### **Where Complaints Come From**

Complaints may come from:

- a person who is dissatisfied with the service that they have received from a member of staff employed by the Diocese of Bath & Wells
- concern relating to policies for running the diocese or decisions taken by the directors

A formal complaint can be received by email or in writing. It is our policy that we will not investigate anonymous complaints.

This policy does not cover:

- Complaints relating to diocesan church schools, where the individual school's complaints process should be used.
- Complaints relating to local parochial matters, where the matter should be referred to the PCC.
- Complaints from staff, who should use the Board of Finance's grievance procedure.
- Complaints from members of Clergy where it is a grievance relating to the exercise of the office held - the Archbishop's Council has set out a Code of Practice and supportive advice for dealing with grievances.
- Matters relating to safeguarding which should be referred directly to the Diocesan Safeguarding Adviser or the Bishop's Chaplain.

- Complaints regarding members of clergy (please see note below).

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. If other complaints processes apply, for example bullying and harassment or allegations of serious misconduct that may be considered under the Clergy Discipline Measure, the person complaining will be directed and helped to access them.

### **Confidentiality**

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

### **Responsibility**

Overall responsibility for this policy and its implementation is with Bishop's Council sitting as the Board of Directors.

### **Review**

This policy is reviewed regularly and updated as required.

### **Complaints Procedure of the Diocese of Bath & Wells**

#### **Publicised Contact Details for Complaints:**

Written complaints may be sent to the Diocesan Secretary at the Diocese of Bath & Wells at The Diocesan Office, The Old Deanery, Wells, BA5 2UG.

#### **Receiving Complaints**

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have.

Complaints received by telephone or in person need to be recorded. The person who receives a phone or in person complaint should:

- Write down the facts of the complaint
- Take the complainant's name, address and telephone number
- Note down the relationship of the complainant to the diocese
- Tell the complainant that we have a complaints procedure
- Tell the complainant what will happen next and how long it will take
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.

For further guidelines about handling verbal complaints, see Appendix 1.

## **Resolving Complaints**

### **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.

### **Formal Stage**

If the complainant feels that the problem has not been satisfactorily resolved during the informal process, they can escalate the complaint to the formal process. At this stage, the complaint will be passed to the Diocesan Secretary or if they have already been involved the Chair of the Board of Finance.

Complaints should be acknowledged by the person handling the complaint within a week. The acknowledgement should say who is dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

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.

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 should 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 should 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 Board 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](http://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.

## Appendix 1 - Practical Guidance for Handling Verbal Complaints

- Remain calm and respectful throughout the conversation
- Listen - allow the person to talk about the complaint in their own words. Sometimes a person just wants to "let off steam"
- Don't debate the facts in the first instance, especially if the person is angry
- Show an interest in what is being said
- Obtain details about the complaint before any personal details
- Ask for clarification wherever necessary
- Show that you have understood the complaint by reflecting back what you have noted down
- Acknowledge the person's feelings (even if you feel that they are being unreasonable) - you can do this without making a comment on the complaint itself or making any admission of fault on behalf of the organisation
- e.g. "I understand that this situation is frustrating for you"
- If you feel that an apology is deserved for something that was the responsibility of your organisation, then apologise
- Ask the person what they would like done to resolve the issue
- Be clear about what you can do, how long it will take and what it will involve.
- Don't promise things you can't deliver
- Give clear and valid reasons why requests cannot be met
- Make sure that the person understands what they have been told
- Wherever appropriate, inform the person about the available avenues of review or appeal