



## Complaints Policy and Procedure

### 1. Introduction

The Diocese of London views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person who 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 who works for 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.

Overall responsibility for this policy and its implementation is with the Bishop's Council in its capacity as the Board of Trustees for the London Diocesan Fund.

### 2. Aims of the procedure

The procedure laid out below aims to:

- provide a fair procedure which is clear and easy to use.
- be open and transparent about how complaints will be dealt with.
- ensure that all complaints are investigated appropriately.
- ensure that complaints are dealt with in a way that is timely and proportionate.
- ensures that lessons are learned and enable the improvement of operations within the Diocese of London.

### 3. Definition of a complaint

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

#### Where complaints come from

Complaints may come from:

- people who are dissatisfied with the service that they have received from a member of staff, or clergy, employed by the Diocese of London.
- people who have concerns relating to policies concerning the diocese, or decisions taken by the directors.

A complaint can be received by email or in writing. It is our policy that we will not investigate anonymous complaints. Where a complaint is made verbally the complainant will be asked to follow up with a written complaint if it is to be considered under the formal process.

This policy does not cover:

- Complaints relating to London Diocesan church schools, where the individual school's complaints process should be used.
- Complaints relating to the London Diocesan Board for Schools where the complaint should be made under their policy.
- Complaints relating to local church matters, where the complaint should be referred to the PCC.
- Complaints relating to St Paul's Cathedral, which should be referred to the Cathedral Chapter.
- Complaints relating to Westminster Abbey, which should be referred to the Abbey Chapter.
- Complaints from staff of the Diocese, who should use the grievance procedure of their employing body.
- Complaints from members of Clergy where the issue 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 such grievances.
- Disclosures, concerns or allegations about abuse of children or vulnerable adults, which should always be referred directly to the police or Social Services where there is immediate danger and otherwise to the Diocesan Safeguarding Adviser. (Please note that complaints about safeguarding procedures and processes do come under this complaints policy.)
- Complaints regarding members of clergy which are subject to their own complaints procedure. Further details can be found on the [Diocese of London](#) website.

## 4. Complaints procedure

### 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 member of staff or volunteer who receives a complaint made over the phone or in person 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.

Written complaints may be sent to the General Secretary, 36 Causton Street, London, SW1P 4AU, or by email to [oliver.home@london.anglican.org](mailto:oliver.home@london.anglican.org). It will then be triaged to the relevant Director to investigate and action as appropriate.

If the complaint is about the Chief Executive it may be sent to the Head of HR and Safeguarding, 36 Causton Street, London, SW1P 4AU, or by email to [poli.shajko@london.anglican.org](mailto:poli.shajko@london.anglican.org).

## 5. Resolving complaints

### Stage One (Informal Process)

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, somebody is dissatisfied with the service they have received, then in the first instance they should tell their immediate diocesan contact of their dissatisfaction who should be willing to listen, to discuss the matter, and seek

resolution 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.

### **Stage Two (Formal Stage)**

If, after all reasonable efforts have been made to informally resolve a complaint, the complainant feels that the problem has not been satisfactorily remedied, they can escalate the complaint to the formal process. At this stage, the complaint will be passed to the Chief Executive who will triage to the relevant Director for investigation and ensure that:

- They acknowledge the complaint within 10 working days, confirming who is dealing with the complaint and when they can expect a reply. A copy of this Complaints Procedure should be attached.
- The facts of the case are investigated (which may require appointment of an additional, independent, senior manager). 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 are 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.
- Complainants 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, a 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.

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.

## **6. Delayed and unreasonable complaints**

If the complaint relates to an incident or event which occurred more than six months before the complaint is made (or, where the complaint relates to a series of incidents or events, if more than six months have elapsed from the date of the latest incident or complaint), the person receiving the complaint may notify the complainant that it will not be investigated for that reason. The notification should be given within 10 working days of the complaint being received.

The person who received the complaint will arrange for this to be recorded in the complaints log.

If the person receiving the complaint or the person investigating the complaint considers that the complaint is unreasonable, vexatious, frivolous, a repeat of a previous complaint, he or she may notify the complainant and, if relevant, confirm that the complaint will be terminated for that reason.

If the complainant is dissatisfied with the decision not to investigate the complaint, he or she may write to or email the General Secretary asking for the decision to be reviewed.

The General Secretary will be provided with all documentation relating to the complaint, including the letter notifying the decision not to investigate, and will review the decision made. He or she should write to the complainant and the decision-maker within 10 working days of receipt of the request for a review. If he or she concludes that the complaint should be investigated, he or she will nominate a person to respond to the complaint, who should not be the person who decided not to investigate it.

If unreasonable behaviour continues the General Secretary may write to the complainant to explain that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact the diocese, causing significant levels of disruption, specific methods of communication, including limitations on the number of future contacts, may be outlined. This will usually be reviewed after 6 months.

If a complaint involves the General Secretary, in the first instance it will be directed to the Chair of Risk and Audit, and to the Bishop of London if the outcome is appealed.

In response to any serious incident of aggression or violence, the concerns and actions taken will be put in writing immediately and the police informed.

## **7. External stage**

### **Escalation to the Charity Commission**

The complainant feels that their complaint has not been satisfactorily resolved, and the issues of concern pose a risk of significant harm to the beneficiaries, assets, or reputation of the Diocese of London or the London Diocesan Fund as its administrative umbrella, it may be referred to the Charity Commission. 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).

## **8. Additional complaints procedures and policies**

### **Whistleblowing**

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work, e.g., an officer of the diocese or employee of the London Diocesan Fund breaking or proposing to break the law, acting dishonestly in any way, or otherwise seeking to cover up any wrongdoing.

Such matters should be reported to the General Secretary or the Director of HR and Safeguarding and will be dealt with under the Diocesan Whistleblowing Policy.

### **Bullying and harassment**

Employees or Office Holders who believe that they have been discriminated against for any reason and feel that it amounts to bullying and harassment, should access the Diocesan Bullying and Harassment policy. Disciplinary action will be considered if any employee or clergy behaviour is deemed to amount to bullying and harassment. Volunteers and agency workers may see their positions terminated.

### **Grievances**

Where an LDF employee is concerned about a *breach of their own contract of employment*, they should access the [LDF Grievance Procedure](#).

Further details of the Codes of Practice and supporting advice that apply to clergy grievance procedures, may be found on the [Common Tenure](#) website.

## **9. 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.

## **10. Monitoring complaints and lessons learnt**

The General Secretaries Personal Assistant will ensure that a log is kept of all complaints received, the timescale of resolution, and the lessons learnt.

The number, type, and outcome of complaints will be reported once a year to the Senior Staff so that any trends or further actions deemed necessary can be considered.

## **11. Data protection (GDPR)**

The Diocese of London processes all complaints information and personal data in accordance with its data protection / processing special categories of personal data policies which can be obtained on the Diocesan website [here](#). Inappropriate access or disclosure of data constitutes a data breach and must be reported in accordance with the Dioceses' data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the relevant disciplinary procedure.