

Catholic Diocese of Nottingham



Complaints Policy and Procedures

June 2020



1 INTRODUCTION

- 1.1 None of us welcome professional criticism but we should accept we are not perfect. Justified complaints can be helpful and, if made constructively, we should use them to advantage. The Diocese of Nottingham (the "**Diocese**") views complaints as an opportunity to put things right for the person who has made the complaint, as well as a chance to learn and improve for the future.
- 1.2 In dealing with a complaint please avoid taking an entrenched position which will only discourage easy resolution, increase annoyance to all parties, make the job of any third person called in to assist that much more difficult and invariably lengthen the time taken to resolve the matter.
- 1.3 A complaint will often be justified, if not entirely then in part. Be prepared to apologise, as and when appropriate, and remember that a person offended by the Church can be put off the Church even to the extent of giving up their practice of the faith.
- 1.4 The aim of this procedure is to enable those involved to reach a resolution of their concerns by providing a transparent and easily understood process for handling complaints. We will do this by:
 - 1.4.1 Attempting to resolve concerns through informal discussions at the earliest stage
 - 1.4.2 Providing named contacts and a timescale for a response to be made
 - 1.4.3 Focusing on resolving complaints rather than apportioning blame
 - 1.4.4 Promoting confidentiality and discretion
 - 1.4.5 Being forthright in dealing with vexatious, abusive and malicious complaints

2 Policy

- 2.1 Our policy is:
 - 2.1.1 To offer a comprehensive and easy to use complaints procedure covering everyone, including clergy, staff, parishioners, volunteers and visitors
 - 2.1.2 To publicise the existence of our complaints procedure and provide appropriate contact details.
 - 2.1.3 To make sure everyone who works for the Diocese knows what to do if a complaint is received.
 - 2.1.4 To treat all complaints with courtesy and fairness and deal with them promptly.
 - 2.1.5 To handle all complaint information sensitively and share it only with those who need to know.
 - 2.1.6 To store all information relating to a complaint safely and with due regard to any relevant data protection regulations.
 - 2.1.7 To resolve complaints, wherever possible, and then repair relationships and achieve reconciliation.
 - 2.1.8 To obtain feedback in order to improve what we do.
 - 2.1.9 To review our complaints process annually and update it as required.



3 DEFINITION OF A COMPLAINT

- 3.1 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.
- 3.2 When the complaint is made by someone who is deployed with the Parish/Diocese whether paid (e.g. an administrator) or holding unremunerated office (e.g. a youth leader), it is usually referred to as a grievance. A complaint or a grievance may include an allegation that a person has behaved in an unacceptable way.
- 3.3 When someone complains or raises a grievance, they are raising a matter that is of direct personal interest, where they believe they have been treated poorly and are seeking redress or justice for themselves. The person making the complaint has a vested interest in the outcome of the complaint.
- 3.4 When someone makes a protected disclosure about a matter which is of Public Interest, commonly referred to as “whistle blowing”, they are raising a concern about a matter that affects others. For example, a matter that may affect members of the public, employees or their employer. The person “blowing the whistle” does not have to be personally affected by the issue which is a concern. A protected disclosure can be made on behalf of others. As with any complaint, for it to be fully investigated and dealt with, clear factual information with examples of dates and times must be provided.

4 Eligible Complaints

- 4.1 Generally, anonymous complaints will not be considered, unless the matter that is the cause for concern is very serious, places the Diocese at risk and / or is of widespread public concern and the requirement to investigate such a complaint remains at the discretion of the Diocese.
- 4.2 All complaints must be submitted in writing or by e-mail, even if the initial approach was made by telephone or in person. Assistance will be made available to anyone who has difficulty in doing this. Only in very exceptional circumstances will a verbal investigation be investigated. The Diocese reserves the right to refuse to carry out an investigation if the complaint consists of vague assertions. Protected Disclosures can be made verbally.
- 4.3 Generally, 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.



- 4.4 Unless the complaint is very serious in nature and likely to endanger a person, result in a criminal offence being committed, or damage the reputation of the Diocese, all complaints must in the first instance be raised with the appropriate person or line manager.
- 4.5 If the complainant does not receive a response within a reasonable time period, (usually 28 days) or feels that the response is unsatisfactory, then the concern may be reported at a higher level, if this is appropriate. The Diocese reserves the right to refuse to investigate all complaints that are vague, vexatious or trivial in nature.
- 4.6 All complaints will be recorded and kept on file. The Chief Operating Officer will arrange for a report to be submitted once a year to the Trustees as appropriate summarising the nature of Eligible Complaints received and how they were resolved.

5 TYPES OF COMPLAINTS THAT ARE NOT COVERED

5.1 This policy does not cover:

- 5.1.1 Complaints about harm to children or vulnerable adults; please refer these directly to the Parish Safeguarding Representative and/or the Diocesan Safeguarding Office at safeguarding@dioceseofnottingham.uk (0115 953 9850/ 07825 648310). If no-one is available then please contact the responsible Vicar General or the Diocesan Trustee responsible for Safeguarding Liaison.
Where there is immediate danger, all such concerns should always be referred directly to the Police or Social Services.
- 5.1.2 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 responsible for the issue being complained about and then be escalated for the attention of the relevant Vicar General.
- 5.1.3 Complaints involving a Health and Safety matter; these must be advised to the Finance and Property Office at 0115 953 9800 office@dioceseofnottingham.uk. This must not prevent any urgent action necessary, e.g. to make an area safe if an incident has occurred. Where a matter might lead to an insurance claim then this should be advised to the Finance and Property Office and to the Diocese's insurers, who should approve any response in order that their defence to a claim is not jeopardised.
- 5.1.4 Complaints relating to specific Diocesan Catholic schools; please use the individual school's own complaints process which should be available on its website.
- 5.1.5 Complaints involving a general schools matter must be referred to the Diocesan Director of Education or the Assistant Director.
- 5.1.6 Complaints involving an employment matter will be dealt with under the Diocese's employment policies and under the supervision of the Chief Operating Officer coo@dioceseofnottingham.uk (0115 953 9800) The same applies to complaints involving volunteers.
- 5.1.7 Complaints about the use of your personal information; please contact
Chief Operating Officer
Catholic Diocese of Nottingham
Willson House
25 Derby Road
Nottingham NG1 5AW
Tel: 0115 953 9800 Email: coo@dioceseofnottingham.uk



6 PUBLICISED CONTACT DETAILS FOR COMPLAINANTS

Written formal complaints that do not fall into any of the excluded categories listed above should be sent to:

Chief Operating Officer
Catholic Diocese of Nottingham
Willson House
25 Derby Road
Nottingham NG1 5AW
Tel: 0115 953 9800 Email: coo@dioceseofnottingham.uk

7 TIMEFRAME AND HANDLING OF COMPLAINTS

- 7.1 All complaints must be raised within 3 months of the incident occurring, unless there are exceptional extenuating circumstances.
- 7.2 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 such 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.
- 7.3 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 either provide the website link or offer to send a copy by e-mail or post.
 - 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.
 - 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.
- 7.4 Often written complaints will be made direct to the Bishop. It can be helpful, if it is known that such a complaint is to be expected, to let the Bishop's Secretary know.
- 7.5 Only in exceptional circumstances should an initial complaint be referred to or dealt with by the Bishop.
- 7.6 The Bishop should be kept informed of the fact of a complaint and necessary details only, so as not to prejudice his later involvement, if required. If all attempts to resolve the issue have failed, he may be involved as a final resort.

8 RESOLVING COMPLAINTS – INFORMAL STAGE

- 8.1 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.
- 8.2 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, Parish Priest or Dean. If any aspects of the issue remain unclear, the matter can be considered by a Vicar General or the Chief Operating Officer.



- 8.3 If, following the informal process, the complainant remains dissatisfied or if the informal process is inappropriate, then the complaint will need to be escalated to the formal process.

9 FORMAL STAGE

- 9.1 At this stage, the complaint should be passed on to a senior person, most likely the Chief Operating Officer.
- 9.2 The fact that the complaint has been classed as “formal” should be acknowledged by the person handling it within a calendar week. 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.
- 9.3 A suitably senior person should be appointed to investigate the facts of the case.
- 9.4 The investigation will include a review of all relevant paperwork and speaking with 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. A log must be kept.
- 9.5 If relevant, the person who dealt with the original complaint at the informal stage should be updated of what is happening.
- 9.6 Where a complaint involves a meeting then it is essential that there is more than one person from the Diocese present who can confirm what has taken place and can make a file note of the meeting.
- 9.7 Ideally, complainants should receive a definitive reply within 28 days. 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.
- 9.8 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.
- 9.9 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.
- 9.10 The decision at this stage is final, unless the Trustees decides it is appropriate to seek external assistance with resolution.
- 9.11 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.
- 9.12 If the investigator concludes that a complaint has been made vexatiously or in bad faith, the Diocese reserves the right to take appropriate action.
- 9.13 If an employee makes an allegation but it is not confirmed by the investigation, no action will be taken against them. If, however, there is reasonable evidence that an allegation has been made maliciously, or with the primary intent of personal gain, action will be taken in line with the Diocese’s Disciplinary procedure (please refer to the Staff Handbook which is available on the Diocesan website).



9.14 In accordance with the law, the Diocese undertakes that no employee who reports a concern in the public interest will be subjected to any detriment as a result. In the event that the employee believes they are being subjected to a detriment by any person within the Diocese, they have the right to raise any concerns of harassment to the Chief Operating Officer at:

Catholic Diocese of Nottingham
Willson House
25 Derby Road
Nottingham NG1 5AW
Tel: 0115 953 9800 Email: coo@dioceseofnottingham.uk

10 EXTERNAL STAGE

10.1 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:

<https://www.gov.uk/government/publications/complaints-about-charities>

11 VARIATION ON THE COMPLAINTS PROCEDURE

11.1 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 Chief Operating Officer was asked to lead the formal process investigating a complaint about the Chief Operating Officer.

11.2 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.

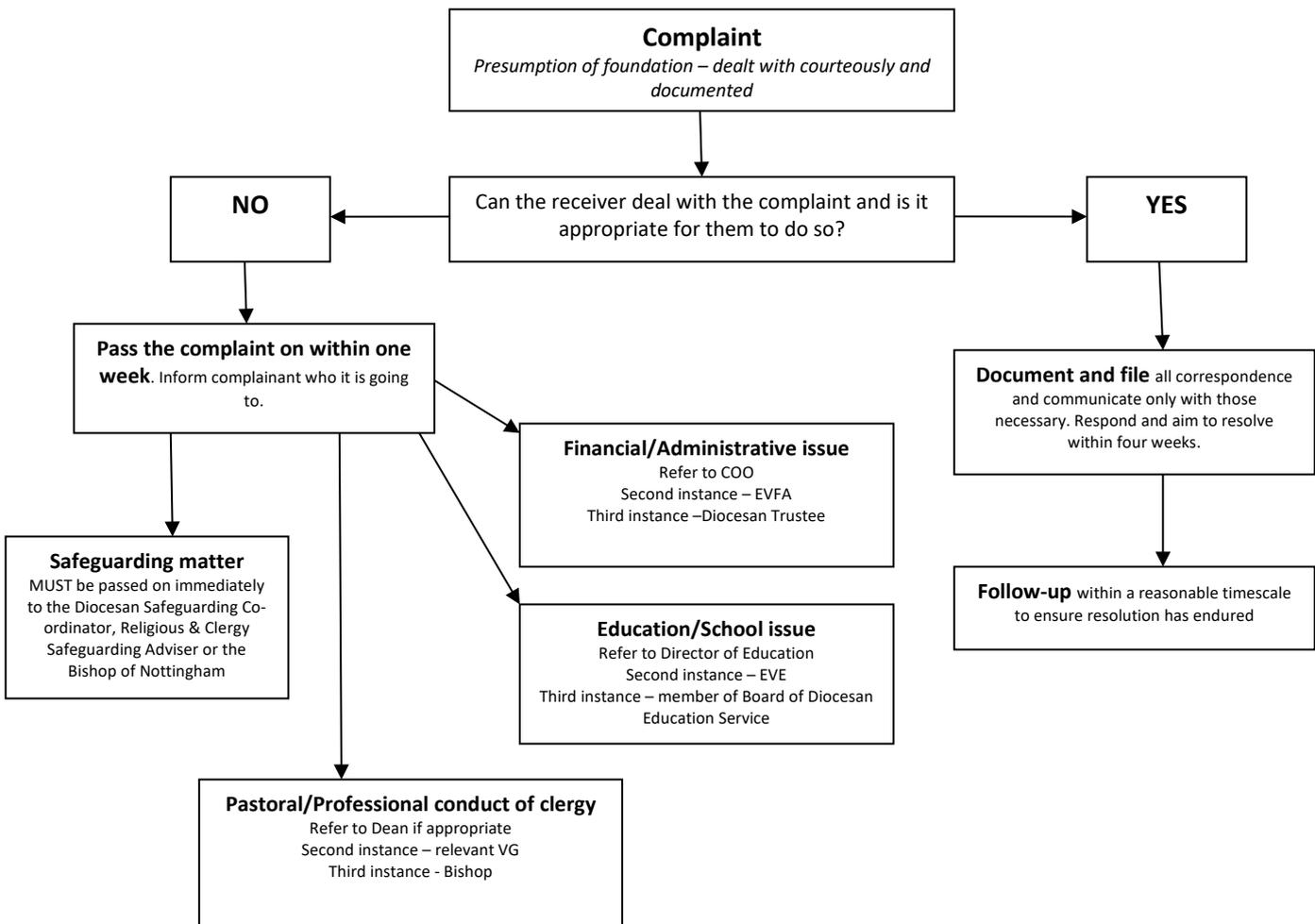
12 APPROVAL

This policy was approved by the Diocesan Board of Trustees on 25 June 2020

The next review is due on or before 25 June 2023



Complaints Flow Chart – For Guidance (please refer to full Complaints Policy for details).



The Bishop should be referred to for complaints only as the final instance. He should be kept informed of the fact of a complaint and necessary details only, so as not to prejudice his later involvement. If all attempts to resolve the issue have failed, he will be involved as a final resort.

- Principles**
1. Presumption of foundation
 2. Document all interactions
 3. Professional confidentiality
 4. Subsidiarity
 5. Courtesy in all interactions
 6. Response should be timely and efficient