

The Diocese of Lincoln

Complaints Policy and Procedure

Introduction

The Lincoln Diocesan Trust and Board of Finance Ltd (LDTBF) aims to provide the best possible service to parishes, organisations and individuals. We positively welcome suggestions you may have for how we can improve our service.

Usually, a word with the person at the point of service delivery will suffice, should a problem arise. However, we recognise that from time to time there may be occasions when users of our services feel that the quality or level of service provided falls short of what they could reasonably expect. We also want to know about these occasions so that we can make good the problem and plan to avoid its repetition. If you have a complaint, we would like you to tell us about it.

Our commitment

- There should be no difference in the principles that apply to the approach between clergy, readers, authorised lay ministers, lay people or paid officials
- The process should be fair and just
- Help and support should be offered to those making the complaint and those subject to the complaint
- Confidentiality must be respected
- Where it is appropriate, the possibility of reconciliation should be explored
- There should be the possibility of correcting any errors which may be made
- Wherever possible the aim is to resolve complaints locally rather than centrally and informally rather than formally

What is covered under this policy?

A complaint is any expression of dissatisfaction about an action or inaction by a person or group acting on behalf of the diocese. This might include a paid employee of the LDTBF including the Lincoln School of Theology or volunteer acting on its behalf, a member of clergy, reader or lay minister. A complaint may also relate to the policies of the LDTBF or to the decisions taken by the Directors of the LDTBF.

What complaints are not dealt with by this policy?

- Complaints relating to local parochial matters, where the matter should be referred to the Parochial Church Council.
- Complaints from members of staff or volunteers of the LDTBF, who should use the LDTBF's grievance procedure.
- Complaints from members of clergy relating to the exercise of their office (for example, a complaint about a Ministerial Developmental Review or the interpretation of Terms of Service). They should use the Archbishop's Council's Ecclesiastical Offices Grievance Procedure.
- It is not normally diocesan policy to investigate anonymous complaints.

- Complaints should be made within three months of the matter complained of, unless the Diocesan Secretary considers it fair and proportionate to extend that period.

If you are still unsure, then please refer to “Raising a concern”, the Diocese’s guidance notes on grievances, complaints and whistleblowing.

Who is responsible for this policy?

The overall responsibility for this policy lies with the Bishop’s Council of Diocesan Trustees.

Informal process

When responding to complaints, the aim is always to enable them to be resolved informally, speedily and fairly by discussion, problem-solving, mediation and negotiation where this is appropriate. Problems should therefore be brought direct to the person(s) responsible for the area of dissatisfaction or disquiet, with the goal of resolving them in this way. This might be the Archdeacon of your area, the Warden of the College of St Hugh if you are a student or the DAC Secretary if it relates to Church Buildings. The person responsible should be willing to listen, to discuss the matter with the complainant, and to seek to satisfy the concerns, where justified. Formal records will not be kept of informal complaints which are resolved at this stage but employees are expected to note and implement learning points as part of their continuous improvement and to communicate them to their manager and to other employees who could benefit. If the person with the complaint is not satisfied with the outcome at the problem-solving stage, they may then invoke the formal procedure set out below.

Formal process for complaints against Clergy, Readers, Lay Minsters and employees of the Bishop’s Office.

Stage 1

1. A complaint should be submitted to the Bishop’s Chaplain¹, or in the case of a complaint against the Bishop’s Chaplain, an Archdeacon or Suffragan Bishop, to the Diocesan Bishop or, in the case of a complaint against the Diocesan Bishop, to the Chair of the Board of Finance.
2. Any complaints which are plainly intended to be formal complaints received by any other diocesan personnel shall be forwarded as appropriate.
3. A record of the complaint shall be kept, including the name and contact details of the complainant, the date the complaint was made, the nature of the complaint and the complainants desired outcome.
4. The complaint will be acknowledged as soon as possible, usually within one working week (5 working days) and a copy of this procedure will be supplied. This acknowledgement will set out the time frame for when a substantive response will be made. This will usually be within one calendar month.
5. On receiving the complaint, the Bishop’s Chaplain/Diocesan Bishop will decide the best person to respond to the complaint. Where the complaint is received by the Bishop’s

¹ Or whomever is filling the role of Bishop’s Chaplain.

Chaplain, he or she should consult the Diocesan Bishop. The appropriate person to respond will ordinarily be the relevant Archdeacon.

6. The person responding to the complaint will ensure that all appropriate enquiries are made to establish the substance of the complaint, including collecting information regarding any previous attempt to resolve the matter informally. This may include discussions or meetings with the complainant in order to fully understand the issue and be clear on what would constitute a resolution for the complainant. The complainant may be accompanied at any meeting by a friend or supporter if they wish. Any person who is subject of a complaint may also be accompanied by a colleague or trade union representative at any meeting to discuss the facts of the complaint and their response to it.
7. The person responding to the complaint may then arrange appropriate mediation between the parties and any subsequent actions, which may include an apology and/or commencing disciplinary proceedings in accordance with the Clergy Discipline Measure for clergy, or referral to the Diocesan Bishop action under Canon E6 (3) for Readers.
8. The person responding to the complaint will then inform the complainant, the subject of the complaint, the and the Bishop's Chaplain of the action taken to investigate, the conclusions, any action taken as a result, if the complaint was or was not upheld and the reasons why. This should be done in writing by the date stated in the initial acknowledgement. Any delay should be communicated to those involved as soon as possible, along with the reason for the delay and a revised due date.
9. The response may include one or more of the following:
 - a. An explanation of events
 - b. A recognition that the situation could have been handled differently or better
 - c. An explanation of the steps that have been taken to try to ensure that it will not happen again, if appropriate.
 - d. An undertaking to review policies in light of the complaint
 - e. An explanation, with reasons, that there was insufficient evidence to reach a conclusion, with the result that the complaint has not been upheld
 - f. An explanation, with reasons, that the evidence did not substantiate the complaint, with the result that the complaint has not been upheld
 - g. An acknowledgement that the complaint was substantiated in part, with a brief description of the remedial and preventative action being taken and reasons why the remainder of the complaint was not substantiated
 - h. An acknowledgement that the complaint was substantiated in full, with a brief description of the remedial and preventative action being taken.

It should not include any details of any disciplinary or other action, procedures or outcomes against a member of clergy or lay minister. If necessary, the response should state that following investigation, further confidential procedures are being followed.

None of the above will constitute an admission of negligence or an acceptance of liability on the part of the LDTBF or the Bishop.

10. A full record of the investigation will be kept and given to the Bishop's Chaplain to keep with the initial complaint. This should include the original complaint, a note detailing how the complaint was investigated including reference to any documents reviewed, a written record of any interview undertaken, the conclusions of the investigation and any action taken.

Stage 2

It is hoped that an acceptable resolution can be found and that the complaint is concluded to your satisfaction at the end of Stage 1 of the process. Should this not be the case, the Clergy Discipline Measure may be invoked for complaints against members of clergy. The complaint should be addressed to the Diocesan Bishop, and more information can be found [here](#). The results of Stage 1 will usually be final for all Readers, Lay Ministers and employees of the Bishop's Office.

In the event that the complaint has proceeded directly to CDM and the complaint is not substantively investigated, for example, because it is made out of time, the complainant may subsequently invoke Stage 1 but in this event, the investigation may be constrained. The response to Stage 1 will then be final and no formal disciplinary sanctions will be imposed.

Formal process for complaints against employed members of staff of the LDTBF (which includes all Parish Support Office departments apart from the Bishop's Office).

Stage 1

1. A complaint should be submitted to the Diocesan Secretary², or in the case of a complaint against the Diocesan Secretary, to the Chair of the LDTBF, making it clear that it is a formal complaint and including the complainant's name and contact details. Written complaints should be marked as "Confidential Complaint" and sent to Edward King House, Minster Yard, Lincoln, LN2 1PU. Emailed complaints should be sent to Diocesan.secretary@lincoln.anglican.org.
2. Any complaints which are plainly intended to be formal complaints received by any other diocesan personnel shall be forwarded to the Diocesan Secretary as appropriate.
3. A record of the complaint shall be kept, including the name and contact details of the complainant, the date the complaint was made, the nature of the complaint and the complainants desired outcome.
4. The complaint will be acknowledged as soon as possible, usually within one working week (5 working days) and a copy of this procedure will be supplied. This acknowledgement will set out the time frame for when a substantive response will be made. This will usually be within one calendar month.
5. The Diocesan Secretary will decide the best person to respond to the complaint. This will usually be the appropriate Head of Department, depending on the nature and substance of the complaint. Where the complaint concerns a head of department, the Diocesan Secretary may request the response is made by the Deputy Diocesan Secretary or the Diocesan Secretary themselves.
6. The person responding to the complaint will ensure that all appropriate enquiries are made to establish the substance of the complaint, including collecting information regarding any previous attempt to resolve the matter informally. This may include discussions or meetings with the complainant in order to fully understand the issue and be clear on what would constitute a resolution for the complainant. The complainant may be accompanied at any meeting by a friend or supporter if they wish. Any person who is subject of a complaint may

² Where the Diocesan Secretary is unavailable, complaints may be directed to the Deputy Diocesan Secretary.

also be accompanied by a colleague or trade union representative at any meeting to discuss the facts of the complaint and their response to it.

7. The person responding to the complaint may then arrange appropriate mediation between the parties and any subsequent actions, which may include an apology and or the commencement of disciplinary proceedings in accordance with the LDTBF's disciplinary process.
8. The person responding to the complaint will then inform the complainant, the subject of the complaint, the relevant Head of Department and the Diocesan Secretary of the action taken to investigate, the conclusions, any action taken as a result, if the complaint was or was not upheld and the reasons why. This should be done in writing by the date stated in the initial acknowledgement. Any delay should be communicated to those involved as soon as possible, along with the reason for the delay and a revised due date.
9. The response may include one or more of the following:
 - a. An explanation of events
 - b. A recognition that the situation could have been handled differently or better
 - c. An explanation of the steps that have been taken to try to ensure that it will not happen again, if appropriate.
 - d. An undertaking to review policies in light of the complaint
 - e. An explanation, with reasons, that there was insufficient evidence to reach a conclusion, with the result that the complaint has not been upheld
 - f. An explanation, with reasons, that the evidence did not substantiate the complaint, with the result that the complaint has not been upheld
 - g. An acknowledgement that the complaint was substantiated in part, with a brief description of the remedial and preventative action being taken and reasons why the remainder of the complaint was not substantiated
 - h. An acknowledgement that the complaint was substantiated in full, with a brief description of the remedial and preventative action being taken.

It should not include any details of any disciplinary or other action, procedures or outcomes against a member of staff. If necessary, the response should state that following investigation, further confidential procedures are being followed.

None of the above will constitute an admission of negligence or an acceptance of liability on the part of the LDTBF.

10. A full record of the investigation will be kept and given to the Diocesan Secretary to keep with the initial complaint. This should include the original complaint, a note detailing how the complaint was investigated including reference to any documents reviewed, a written record of any interview undertaken, the conclusions of the investigation and any action taken.

It is hoped that an acceptable resolution can be found and that the complaint is concluded your satisfaction at the end of Stage 1 of the process. Should this not be the case, you should inform the Diocesan Secretary in writing within three weeks (15 working days) of the stage 1 response that you wish to initiate Stage 2.

Stage 2

For academic complaints relating to the Lincoln School of Theology, the Stage 2 process involves raising the matter with Durham University and details of this can be found [here](#).

1. Inform the Diocesan Secretary (or where the Diocesan Secretary performed the Stage 1 investigation, the Chair of the Board of Finance) within 3 weeks (15 working days) of receiving the response, that you wish to initiate Stage 2, which will involve the consideration of the complaint at a higher level.
2. The Diocesan Secretary will acknowledge receipt of the request, usually within one week (5 working days) and will confirm who will consider Stage 2 of the complaint and by what time frame the complainant should receive a substantive response (which should normally be in longer than 1 calendar month).
3. The Diocesan Secretary may decide to deal with the complaint personally, delegate to another suitably senior member of staff (such as the Deputy Diocesan Secretary) or request the matter be considered by the Chair of the Board of Finance. A panel of three Directors may also be convened, where the Chair of the Board of Finance had been involved in Stage 1. No person dealing with the complaint at this stage should have any previous involvement in the matter, beyond being consulted on who should respond to the complaint.
4. The investigating person or panel will review all documentation from the previous investigation at Stage 1, and consider the actions taken thus far.
5. The person or panel may meet with the complainant and their supporter to discuss the complaint from their perspective and why a resolution could not be reached. The person or panel may also decide to meet with the subject of the complaint, and any other relevant person who responded as part of Stage 1.
6. All new conversations will be recorded as in Stage 1, and where possible the written record shared with those present for accuracy.
7. The person or panel may discuss the matter with the Diocesan Secretary, Diocesan Registrar, HR Consultant and relevant Head of Department in order to consider a way forward to resolve the issue at hand and to formulate a response that may include any further action.
8. On conclusion of the investigation, the person or panel will inform the complainant and the Diocesan Secretary of the action taken to investigate Stage 2 of the complaint, the conclusions and any action taken. As in Stage 1, this should be done before the date for response already indicated to the complainant and if this was not possible, the reason for any delay should be communicated to the complainant with a new time frame.
9. The response may include one or more of the same statements found in part 9 of the Stage 1 process.
10. A full record of the investigation will be kept and given to the Diocesan Secretary to keep with the initial complaint and the results of the Stage 1 process. This should include the original complaint, a note detailing how the complaint was investigated including reference to any documents reviewed, a written record of any interview undertaken, the conclusions of the investigation and any action taken.

The results of the Stage 2 decision will be final.

Unreasonable Complaints

If the person receiving or investigating the complaint considers it to be vexatious, frivolous, a repeat of a previous complaint or otherwise unreasonable, they may notify the complainant and, if relevant, the person who received the complaint, that the complaint will not be investigated or that the investigation will be terminated. This outcome will then be recorded with the details of the complaint.

If the complainant is dissatisfied with this decision, they may write to the Diocesan Secretary to ask for the decision to be reviewed (as in Stage 2 of the process). If the decision is made that the complaint should be investigated, a person shall be appointed to investigate who was not previously involved in the decision that the complaint was unreasonable.

If unreasonable behaviour from the complainant continues, the Diocesan Secretary may write to the complainant to ask them to desist. For complainants who excessively contact the diocese, causing significant levels of disruption, the Diocesan Secretary may specify methods of communication and limit the number of contacts in a communication plan. Any such plan would usually be reviewed after 6 months.

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

External complaints mechanism

For complaints against employees, volunteers and directors of the LDTBF, 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. Further information about the kind of complaints the Commission can involve itself in can be found on their website at

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

Confidentiality

All complaint information will be handled sensitively and shared only with those who need to know. Maintaining confidentiality is essential and security of data relating to individuals will be protected in accordance with the Data Protection Act 2018 and the diocesan data protection policies. No confidential information relating to complaints will be disclosed to any third party unless the DBF has the individual's consent or some other lawful authority.

Review and monitoring

The Complaints Policy will be reviewed by the Bishop's Council of Diocesan Trustees every three years. The nature, number and outcome of complaints should be reported to the Audit and Governance Committee on at least an annual basis to identify trends which may require further action.

V1. Dec 2022