

GUIDELINES Number 5E

## Procedure for Formal Complaints

### 1. Introduction

When a formal complaint is made by a member of the public against a member of the Community or a person living with the Community; or when a member of the Community or a person living with the Community makes a formal complaint against another member of the Community or another person living with the Community, the following procedure is to be followed.

All formal complaints are to be dealt with by the Safeguarding Sub-committee of the Provincial Chapters. If any member of the Sub-committee is himself or herself the subject of the complaint, then he or she should withdraw from the Sub-committee until that particular matter is resolved.

### 2. Stage 1

- (a) Where a formal complaint has been made orally, the Minister Provincial, in consultation with the Safeguarding Sub-committee, should firstly inform the person complained against with the detail of the complaint.
- (b) At this stage all efforts should be made to resolve matters.

### 3. Stage 2

- (a) If this is unsuccessful, and the complainant wishes to proceed, a written document must be provided by him/her to the Minister, setting out the precise nature and circumstances of the complaint. If no written document is received, the matter is concluded.
- (b) On receipt of the written complaint the Minister will inform the person concerned and provide them with a copy of the complaint and inform the Safeguarding Sub-committee.
- (c) The Bishop Protector should be informed and be available to hear any appeal.
- (d) If the complaint is a safeguarding issue the Community's *Safeguarding Policy: Guidelines Number 5B*, should be strictly followed. If there is obvious risk of scandal the advice of the Chelmsford Diocesan Press Officer should be sought.

- (e) Various meetings need to be arranged by the Safeguarding Sub-committee. A Sub-committee member will meet with the complainant to listen to and note the facts of the complaint. S/he will then interview the subject of the complaint, who may also be accompanied by a friend or other supporter if they wish, to listen to their response to the complaint brought against them. Other relevant parties may be interviewed.
- (f) A written record should be kept of these meetings.
- (g) The Minister, in consultation with the Sub-committee, will write a summary from the meetings held with the hope of furthering a resolution and promoting reconciliation, and draw conclusions. Both the complainant and the person are informed, in writing, as soon as possible, of the action to be taken and each should indicate, in writing, within one week whether the outcome is acceptable.

#### **4. Stage 3**

- (a) Each also has a right of appeal to any decision taken which would be directed to the Bishop Protector. It may be necessary at this point or earlier to obtain legal advice.
- (b) The decision of the Bishop Protector will be final, the result being conveyed in writing, as soon as possible, to the Minister, the complainant and the subject of the complaint.
- (c) The pastoral care of any person concerned and wise counsel for the Minister are essential at all stages of the investigation. It is equally important that all members of the Community show both fairness and courtesy to those involved, without prejudicing the situation, and that a line of honesty and integrity is maintained.
- (d) If the matter is likely to lead to court proceedings, legal representation becomes necessary.

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