

## COMPLAINTS PROCEDURE

### Policy

We are committed to the continuous improvement of our work and to listening to the views of those we work alongside, helping them to make complaints or voice concerns as part of this listening and learning process.

Employees must ensure that all users know how and to whom to complain.

### Definitions

**Complainant:** Anyone who has a reasonable interest in making a complaint.

**Complaint:** A complaint may be regarded as any expression of dissatisfaction provided that it is clearly stated that a complaint is being made.

**Respondent:** The employee to whom the complaint relates.

**Informal Complaint:** Complaints that are resolved with the Respondent immediately without the need for an investigation.

**Formal Complaint:** In the context of this procedure, 'formal complaints' are defined as complaints where it has not been possible to resolve the matter informally. Formal complaints normally require an investigation at the instruction of the Chief Executive. Unless the complaint is of a serious nature it should first be dealt with through the informal process.

**Investigating Officer:** A person appointed by the Chief Executive to investigate formal complaints.

### Process Overview

1. Except in exceptional circumstances, all Complaints must be submitted within 3 months.
2. If the complaint refers to any alleged criminal activity it will be referred to the relevant statutory authority.
3. Where an informal complaint has not resulted in the resolution of the complaint or the Complainant believes that the complaint is of a formal nature the complaint should be addressed to the Chief Executive in writing. The Chief Executive shall decide if the matter should be dealt with formally or informally.

4. Should any complaint relate to the Licensed Ministry Training programmes run by the School of Mission, then the procedure for handling such complaint may well be governed by the relevant policies and procedure of the South Central Theological Education Institution, either alongside or instead of this procedure, depending on the nature of the complaint and as decided by the Chief Executive.
5. Similarly, any complaint relating to diocesan sponsorship for authorised or licensed ministry may need to go through the Office of the Bishop of Winchester, again either alongside or instead of this procedure, depending on the nature of the complaint and as decided by the Chief Executive.
6. If the complaint cannot be resolved informally then an Investigating Officer shall be appointed in line with the following guidelines:
  - a. It shall be normal practice for the Chief Executive to request the relevant Head of Department to act as Investigating Officer for a complaint about a member of their team;
  - b. On occasion, depending on the nature of the complaint, the Chief Executive may appoint an external Investigating Officer to review the matter;
  - c. If the complaint relates to a Head of Department the Chief Executive will appoint an external Investigating Officer;
  - d. If the complaint relates to the Chief Executive, it should be submitted to the Bishop of Winchester who shall appoint a member of the Board to be the Investigating Officer;
7. Formal complaints must be submitted in writing – assistance with this will be provided to the complainant by the Head of HR who will also keep the Complainant informed of the process;
8. Formal complaints will normally be acknowledged within **10 working days**. A response will normally be provided within **28 days**. If this timescale cannot be met for any reason, the complainant shall be informed of the revised timetable;

Note: Where it is necessary to appoint an external investigating officer it may not be possible to achieve a response in 28 days. The Complainant will be informed about the revised timescale.

9. The following points shall be adhered to during the course of an investigation:
  - a. The Complainant shall have the right to be accompanied by a friend at all formal meetings during the process;
  - b. The Respondent be kept informed of the progress of an investigation;

- c. The Respondent shall have the right to be accompanied by a colleague at all stages of the investigation;
  - d. No parties shall be entitled to legal representation under the complaints procedure;
  - e. Throughout the investigation care must be taken to ensure compliance with the Data Protection Act, for any information submitted or reviewed by the Investigating Officer;
  - f. Once the investigation has been concluded, a report shall be submitted to the Chief Executive for a decision. This shall be communicated to the Complainant and the Respondent in writing;
  - g. The investigation report is not shared with the Complainant.
  - h. The decision of the Chief Executive is final. It will not be permitted to make a Complaint about the Chief Executive on the basis of the decision in f. above.
10. In the event of a complaint against an employee being sustained, the Head of Department, in consultation with the Chief Executive, will apply the disciplinary procedure as appropriate.

**End**

**SB**  
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