

The Downs Benefice Complaints and Grievances Procedure

I What counts as a complaint and a grievance?

A complaint is a written or verbal expression of dissatisfaction or disquiet about an action, or lack of action by a person acting on behalf of the church, or about the policies and procedures of the church.

When the complaint is made by someone who is deployed within the Benefice, whether paid (for instance a Benefice Office Administrator) or holding unremunerated office (for instance, Sunday School leaders, servers), it is usually referred to as **a grievance**. In the event that a grievance procedure has been included in, for example, a contract of employment that has been entered into by someone deployed within the Benefice this should be adhered to.

A complaint or a grievance may include **an allegation** that a person has behaved in an unacceptable way.

The aim always, when responding to complaints and grievances, is to enable them to be resolved informally, speedily and fairly by discussion, problem solving, mediation and negotiation. Problems should therefore be brought direct to the person(s) deemed responsible for the area of dissatisfaction or disquiet, and will hopefully be resolved in this way.

If, however, a complaint or grievance relates to or includes an allegation that a child or adult who may be vulnerable has been harmed or is at risk of harm, or that an adult or another child may have caused harm to a child or adult who may be vulnerable, it must be responded to through the Diocesan procedures for handling allegations of abuse.

2 Problem-solving

Complaints and grievances against clergy may, ultimately, be handled through the Clergy Discipline Measure. However, minor complaints or grievances, are better dealt with informally without recourse to legal procedures.

Such complaints or grievances should be immediately referred to a churchwarden, or in their absence, the Lay Chair, or in the absence of the Lay Chair, the Lay Vice Chair of the relevant PCC ("deputy").

Should the complaint or grievance be considered to be a minor incident or behaviour, it should be discussed with the parties involved and efforts made to resolve it. If this cannot be achieved, the churchwarden or deputy may seek the assistance of the Area Dean or Archdeacon so that the matter may be dealt with and rectified informally.

Only when the problem is more serious and may amount to misconduct which warrants disciplinary action, will the provisions of the Clergy Discipline Measure be required. The Measure provides a procedure for handling such complaints of misconduct.

Complaints or grievances against clergy other than the incumbent of the Benefice should also be immediately addressed to the incumbent, who, with the churchwarden or deputy, will decide on the course of action to be taken.

Complaints and grievances against licensed or commissioned ministers e.g. Licensed Lay Ministers Readers. These complaints or grievances should also be immediately addressed to the incumbent who will decide on the course of action to be taken.

Complaints and grievances against a member of the Laity should be immediately referred to a churchwarden (or in their absence the Lay Chair, or in the absence of the Lay Chair, the Lay Vice Chair) of the relevant PCC; that person should decide whether the incumbent should be informed (based on the seriousness of the incident or behaviour). Should the complaint or grievance be considered to be a minor incident or behaviour, it should be discussed with the parties involved and efforts made to resolve it.

If the complaint or grievance does not concern a child or adult who may be vulnerable, and the person bringing it is not satisfied with the outcome at the problem-solving stage, s/he may then invoke this formal procedure.

3 Formal procedure for complaints and grievances

Stage I

A complaint or grievance should be submitted in writing to a churchwarden of the relevant parish (who is not him or herself the subject of the complaint or grievance) or in their absence the Lay Chair, or in the absence of the Lay Chair, the Lay Vice Chair of the relevant PCC ("deputy").

The person bringing the complaint has the opportunity to state his or her case; and to be represented, if they wish at any meeting, by a friend or other supporter.

The churchwarden or deputy will meet with the complainant to listen to and note the facts of the complaint or grievance. S/he will then give to the subject of the complaint or grievance the facts relating to it. The churchwarden or deputy will then interview the subject of the complaint or grievance, who may also be represented by a friend or other supporter if they wish, to listen to their response to the complaint or grievance brought against them. The churchwarden or deputy may then interview any other relevant parties.

The churchwarden or deputy then draws conclusions and informs, in writing, the complainant and the subject of the complaint or grievance of the outcome, ideally within a week of the complaint or grievance being made but in a timely manner.

Stage 2

If the reply given at stage 1 does not satisfactorily resolve the complaint or grievance, the complaint or grievance should be put in writing to a churchwarden, who will take the complaint to the PCC. The PCC will form a panel of three of its members who have not been involved in the process before. Where this is not possible, members of the panel will be co-opted from other PCCs in the benefice.

The panel will establish why the complainant continues to feel aggrieved, and receive all the documentation from the previous investigation at Stage 1. The panel will then meet with the complainant and his/her supporter, the subject of the complaint or grievance and his/her supporter, and the churchwarden or deputy who investigated the complaint at the first stage. Witnesses may be called.

The panel members will then sit alone to form a judgement and make a decision about the complaint or grievance. They will inform the complainant and the subject of the complaint or grievance of the outcome, ideally within one month but in a timely manner.

The decision of the panel representing the PCC will be final.

As a result of an investigation into a complaint or a grievance, it may be necessary to address the matter through the disciplinary procedure

Issue 1, April 2016

Reviewed and readopted at Benefice Council Meeting 26th April 2017

Reviewed and readopted at Benefice Council Meeting 25th April 2018

Reviewed and readopted at Benefice Council Meeting, with one amendment, 24th April 2019

Reviewed and readopted at Benefice Council Meeting 21st April 2021