



DIOCESE OF SODOR AND MAN

COMMENTS, CONCERNS AND COMPLAINTS POLICY

This policy supersedes any previous policy of this nature. It will be reviewed as appropriate, and amended where any clarification or actions are needed, and at a minimum 2 yearly.

Date of Approval	21.02.2021
Date Due for review	Feb 2023

COMMENTS, CONCERNS AND COMPLAINTS POLICY

Introduction

It is recognised that from time to time complaints will arise.

We aim to have a fair complaints process that is simple to use and understand, that is open about how we will deal with complaints whilst ensuring all complaints are investigated fairly and in a timely way. Wherever possible we will try to resolve complaints locally rather than centrally, and informally rather than formally. This procedure is for matters that are not to be dealt within other diocesan policies (Disciplinary, Grievance, Clerical disciplinary Measure, Raising Safeguarding Concerns, whistleblowing, Bullying and Harassment for example) Throughout any process we will respect confidentiality and gather information which helps us to improve what we do.

1. Principles

1.1 Individuals, be they clergy, lay staff, volunteers or members of the public need to feel assured there is a way of raising their concerns that is confidential and fair. The aim of this policy is:

- to respond to comments, concerns and complaints fairly and quickly
- to ensure that the focus is on the issues rather than personalities
- to take account of the legitimate interests of all concerned
- to allow comments, concerns and complaints to be pursued without fear of sanction.

1.2 The basic principles of the policy are as follows:

- every comment, concern and complaint should be treated seriously
- no-one should be disadvantaged for raising a comment, concern or complaint
- a comment, concern or complaint should be dealt with informally wherever possible
- proceedings should be kept confidential
- a written record should be made at every stage
- office holders raising a complaint/concern should be allowed to bring a lay or ordained colleague or trade union representative to any meeting. Further details can be found in section 7.
- attempts should always be made to resolve complaint/concerns as swiftly as possible, after all the necessary evidence is gathered.
- mediation should be considered at every stage.

2. Definition of a Complaint/Concern

A complaint is a verbal or written expression of dissatisfaction, whether justified or not.

It is not a:

- Request for, or the submission of, information;
- Question about a policy or procedure;
- Report about an incident.

3. Policies and procedures for some specific forms of complaint

3.1 Comments, concerns or complaints relating to local parochial matters, where the matter should be referred to the Parochial Church Council (PCC).

- 3.2 Comments, concerns or complaints from staff, or clergy will be dealt with through this process and referred where relevant to other policies.
- 3.3 Comments, concerns or complaints regarding members of clergy will be brought to the attention of the Bishop or to members of their Bishop's Staff and dealt with as outlined by the Ecclesiastical Terms of Service.

These issues may not result in, or warrant, any sort of formal process; but it is important that each is followed up appropriately through due process, and that all parties are afforded the opportunity to share or report their concerns.

The Diocese will ensure that time is set aside to gain a clearer picture of all the issues raised, that individuals have opportunities to put their views, that where it is possible reconciliation is achieved, and that decisions about any further actions are made only when there is clarity of objective information/evidence.

Comments, concerns or complaints against members of the clergy in The Diocese of Sodor and Man under the Clergy Discipline Measure should be addressed to the Bishop of Sodor and Man and sent to:

The Lord Bishop of Sodor and Man

The Right Reverend Peter Eagles

Telephone: +44 1624 622108

Email: bishop@sodorandman.im

Office address:

Thie yn Aspick

4 The Falls

Douglas

IM4 4PZ

If other comments, concerns and complaints processes apply, for example, bullying and harassment, or allegations of serious misconduct, they may be considered under the Clergy Discipline Measure.

All policies can be located on our website: <http://www.sodorandman.im/> or alternatively by contacting the Human Resources department at:

Human Resources

Mrs Cat Macdonald

Mobile: +447598956290

Email: hr@sodorandman.im

- 3.4 Comments, concerns or complaints concerning Safeguarding. This general complaints procedure cannot be used to make a safeguarding referral. Instead if you consider a child or vulnerable adult may be at risk of harm you should contact the person to whom you are responsible and the Diocesan Safeguarding Adviser:

Ecumenical Safeguarding Adviser and Coordinator (ESAC)

Tony Connell

Mobile: 07624 235970

Email: safeguarding@sodorandman.im

In an emergency, if you consider a child or vulnerable adult is at risk of immediate harm call the police on 999 or +44 1624 631212 or Adult or Children's Services. You should also contact the ESAC as soon as is practically possible and within 24 hours at the latest.

If the issue which is the subject of your issue has multiple elements, including safeguarding, then the initial referral should be to the ESAC.

- 3.5 Where a comments, concerns or complaints is with regards to an alleged bullying or harassment matter that should be raised instead through the process outlined within the Diocese of Sodor and Man Bullying and Harassment Policy.

4. Resolving Comments, Concerns and Complaints

See Appendix 1 for flowchart summarising each stage of resolving comments, concerns and complaints and Appendix 2 where a matter of safeguarding is concerned.

4.1 Informal Process

In many cases, a comment, concern or complaint is best resolved by the person responsible for the issue being complained about. If the comment, concern and complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. Most matters can and should be resolved informally and locally.

If, for example, a person is dissatisfied with the service they have received, then in the first instance they should tell that person of their dissatisfaction. He or she should be willing to listen, to discuss the matter and seek to satisfy the concerns where justified. If a person remains unhappy, the member of staff will arrange for the concerns to be discussed with a more senior member of staff.

If following the informal process the complainant remains dissatisfied or the informal route is inappropriate, then the formal procedure should be followed. Additionally, the person raising the comment, concern or complaint has the right to proceed straight to the formal stage if they wish, but may find it helpful to discuss the implications of doing this with the human resources officer or (if they have one) their trade union representative first.

4.2 Mediation Process

Reconciliation involves clarification of what has happened, how it is perceived by the other person(s) and acknowledgement of the depth of anger and hurt. Reconciliation, for all parties, involves the rebuilding of damaged relationships. Reconciliation should be the desired outcome. It is important to consider how mediation might be used to bring this about at every stage of the procedure (for example, at the outset or where the first formal stage has not resulted in a mutually acceptable outcome).

4.3 Formal Comments, Concerns And Complaints Process

A formal comment, concern or complaint can be submitted by email or in writing. It should be sent to:

Bishop's Chaplain

Telephone: + 44 1624 622108

Email: chaplain@sodorandman.im

or to:

Personal Secretary to the Bishop

Mrs Lorna Cook

Telephone: +44 1624 622108

Email: secretary@sodorandman.im

It is our policy that we will not investigate unsubstantiated comments, concerns or complaints. Where such are received via a telephone call to the above notes will be taken of the calls to be referred to and progressed at a later stage.

- Comments, concerns and complaints will be acknowledged by the person handling the matter, normally within 10 working days. The acknowledgement will say who is dealing with the matter and when the person can expect a reply.
- A suitably senior person may be appointed to investigate the facts of the case. This may involve reviewing the paperwork of the case and speaking with anyone who may have been involved in dealing with the complaint at the informal stage.
- If the comment, concern or complaint relates to a specific person, they should be informed and given an opportunity to respond. The person who dealt with the original comment, concern or complaint at the informal stage should be kept informed of what is happening where appropriate.
- Ideally complainants should receive a definitive reply within 28 days. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.
- Whether the comment, concern or complaint is upheld or not, the reply to the complainant will describe the action taken to investigate the matter, the conclusions from the investigation, and any action taken as a result. Where disciplinary action is deemed appropriate, the reply to the complainant will not include details relating to individual staff member's employment record.
- It should be recognised that in some instances people will take positions where the matter cannot be resolved. However, the aim will be to ensure that the process respects those involved and is just in providing an active concern to those who are vulnerable, marginalised or oppressed.
- The decision taken at this stage is final, unless the Bishop or the Diocesan of Finance decides it is appropriate to seek external assistance with resolution.
- A log of the comment, concern or complaint will be kept.

See Appendix 1 for flowchart summarising each stage of resolving complaints and Appendix 2 where a matter of safeguarding is concerned.

5. Accompaniment at meetings

If the individual a comment, concern or complaint is raised against wishes to be accompanied, they should bear in mind that

- they should make a request in writing and should inform the person investigating the matter whom they have chosen
- it should not be someone with an interest in the case who might be called as a witness
- it would not be reasonable to insist on being accompanied by someone who would prejudice the hearing or who might have a conflict of interest
- where possible, the person accompanying should also have a say in the date and time of a hearing
- the person accompanying should be allowed to address the meeting to
 - put the office holder's/respondent's case
 - ask questions of any witness if the individual a comment, concern or complaint is raised against so wishes
 - sum up the case on behalf of the individual a comment, concern or complaint is raised against

- respond on the individual a comment, concern or complaint is raised against behalf to any view expressed

They should not be allowed to

- answer questions on behalf of the individual a comment, concern or complaint is raised against
 - address the meeting if the individual a comment, concern or complaint is raised against does not wish it
 - prevent the investigation individual from explaining the position
- companion should be interpreted flexibly: it does not have to be an ordained person and could be a reader or a churchwarden. Nor does it have to be someone within the same team or deanery. A colleague might in certain circumstances include a member of another church in a local ecumenical project or partnership
 - the individual a comment, concern or complaint is raised against may confer with their companions, and should be allowed to do so in private so long as this does not unreasonably disrupt or delay the hearing
 - Office holders and employees of the Diocese have the right of accompaniment at all meetings by a trade union official or a lay or ordained colleague

6. Provision of pastoral support

The Diocese may need to consider making independent, confidential pastoral support available to

- those raising a comment, concern or complaint
- those who are the subject of a comment, concern or complaint those who are having to deal with a complaint/concern

All parties can request this via the Bishop's Chaplain.

7. Record Keeping

It is important, and in the interests of all parties, to keep written records during the process. Records should include:

- the nature of the comment, concern or complaint raised
- a copy of the written statement of comment, concern or complaint the initial actions and subsequent actions
- whether the matter was taken to the further stage and if so the outcome; and
- subsequent developments.

It is **strongly** recommended that the form in Appendix 3 be used for these purposes to ensure consistency of record keeping and approach to ensure that the comments, concerns and complaints system is being appropriately used in the interest of all parties. Records regarding staff should be treated as confidential and kept securely in a sealed envelope on the relevant file. Where the comment, concern or complaint is raised against a respondent who is also in holy orders, it will be necessary to keep a record of the comment, concern or complaint in a sealed envelope on the personal files of both the respondent and the person making the comment, concern or complaint. In addition a digital copy will be held.

8. Variation of the Complaints Procedure

The Diocese may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for example, a complaint about the Chair should not also have the Chair as the person leading the formal process.

9. General and Training

The policy may not be used where other forms of appeal or representation are available, or have been exhausted; for example appeals against disciplinary or capability decisions or decisions taken under the faculty jurisdiction; statutory rights of objection in respect of proposals for certain housing transactions or for pastoral reorganisation, and applications to Employment Tribunals in certain cases as provided for in the Ecclesiastical Offices (Terms Of Service) (Isle Of Man) Regulations 2012.

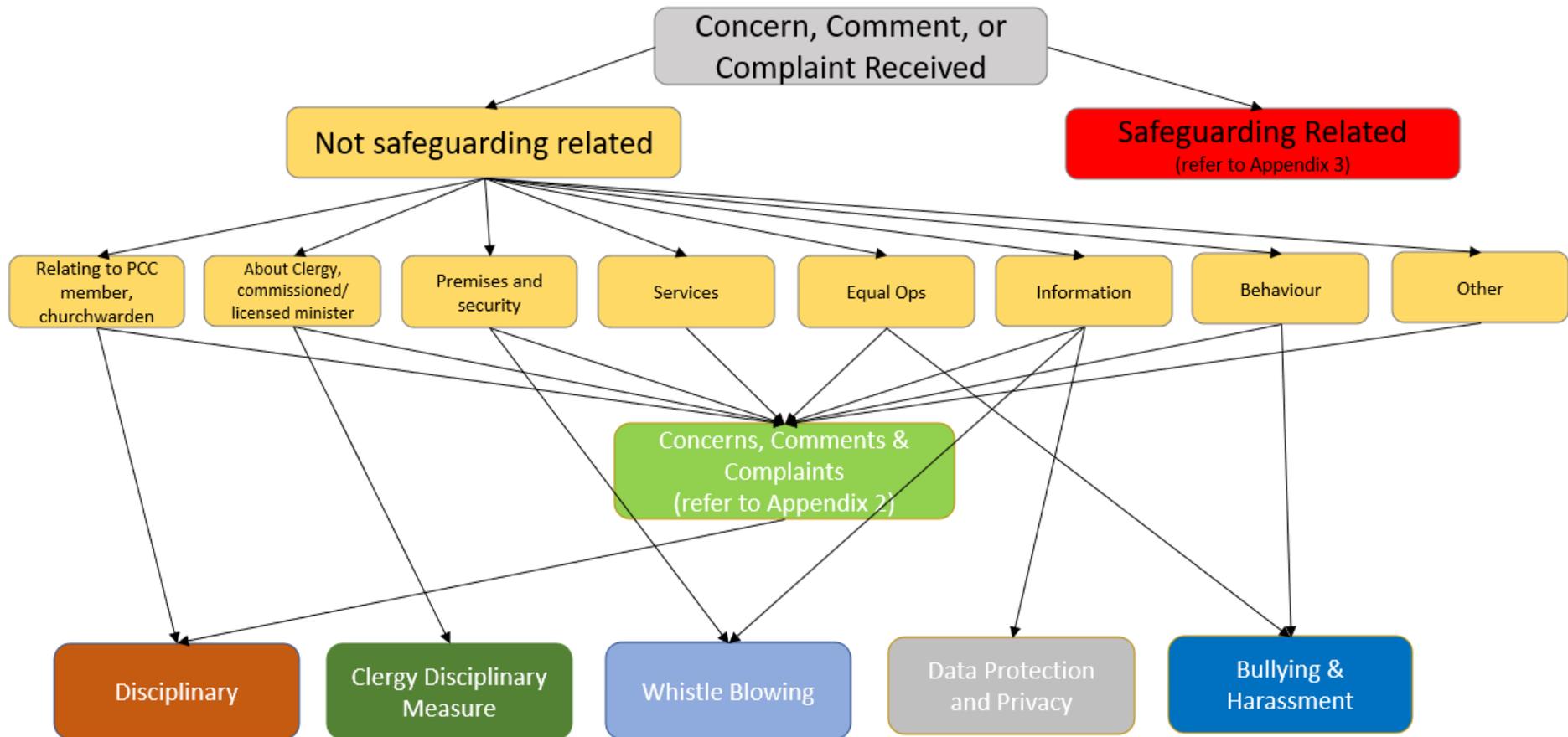
People responsible for dealing with comment, concern or complaint need to be competent. They must be familiar with the provisions of the comment, concern or complaint procedure and know how to conduct a hearing. It may be helpful to provide the relevant individuals be that the Archdeacon, Dean and other senior clergy with training in handling complaint/concerns including dealing with issues of cultural sensitivity. Additionally, advice may be taken from the Human Resource Officer.

10. Other Relevant Policies

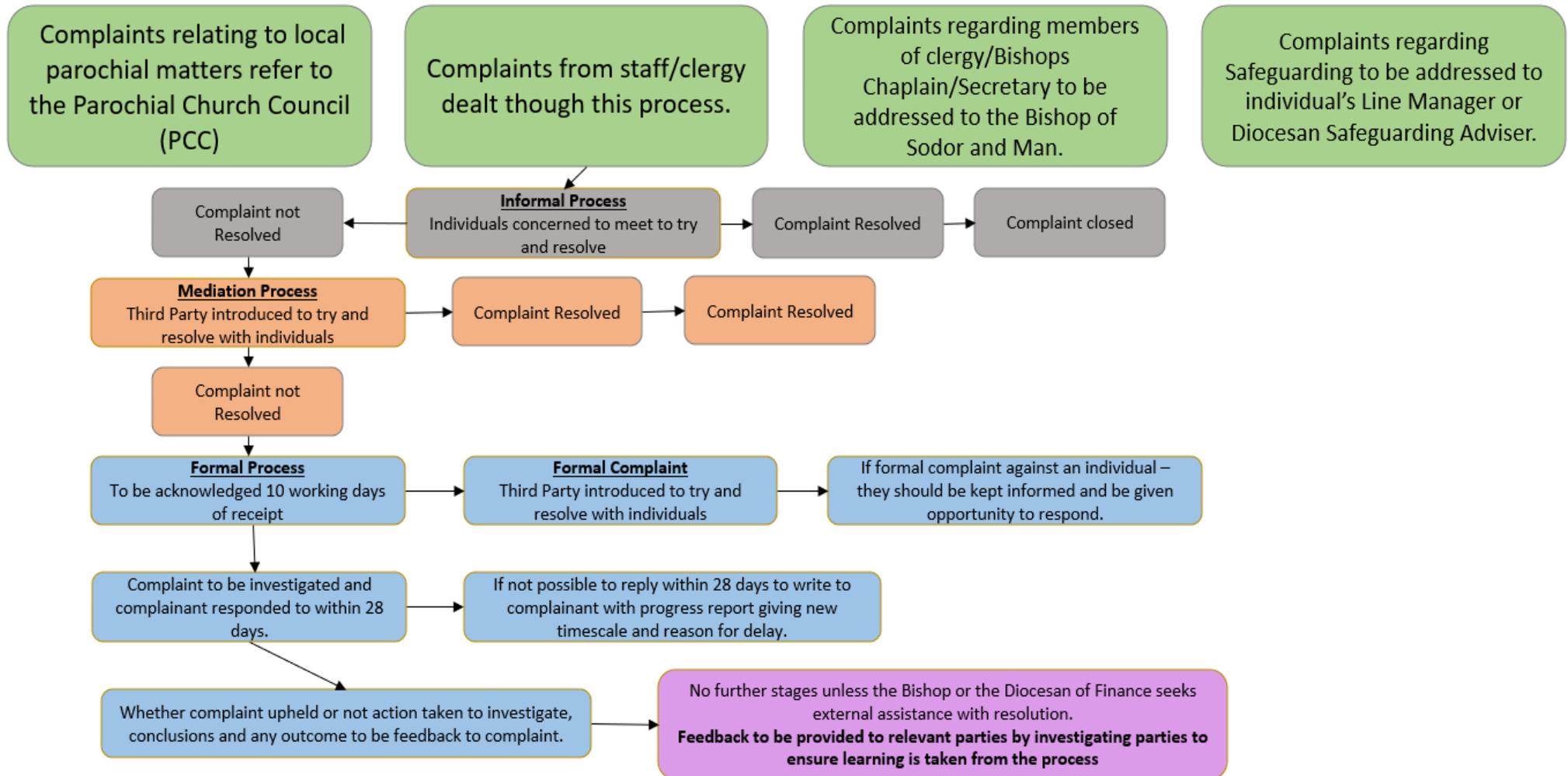
Please see also the following:

- Safeguarding Procedure
- Bullying and Harassment Procedure
- Clergy Discipline Measure
- Whistleblowing Policy
- Data Protection Policy

Appendix 1 – Process Triage



Appendix 2 – Concerns, Comments and Complaints

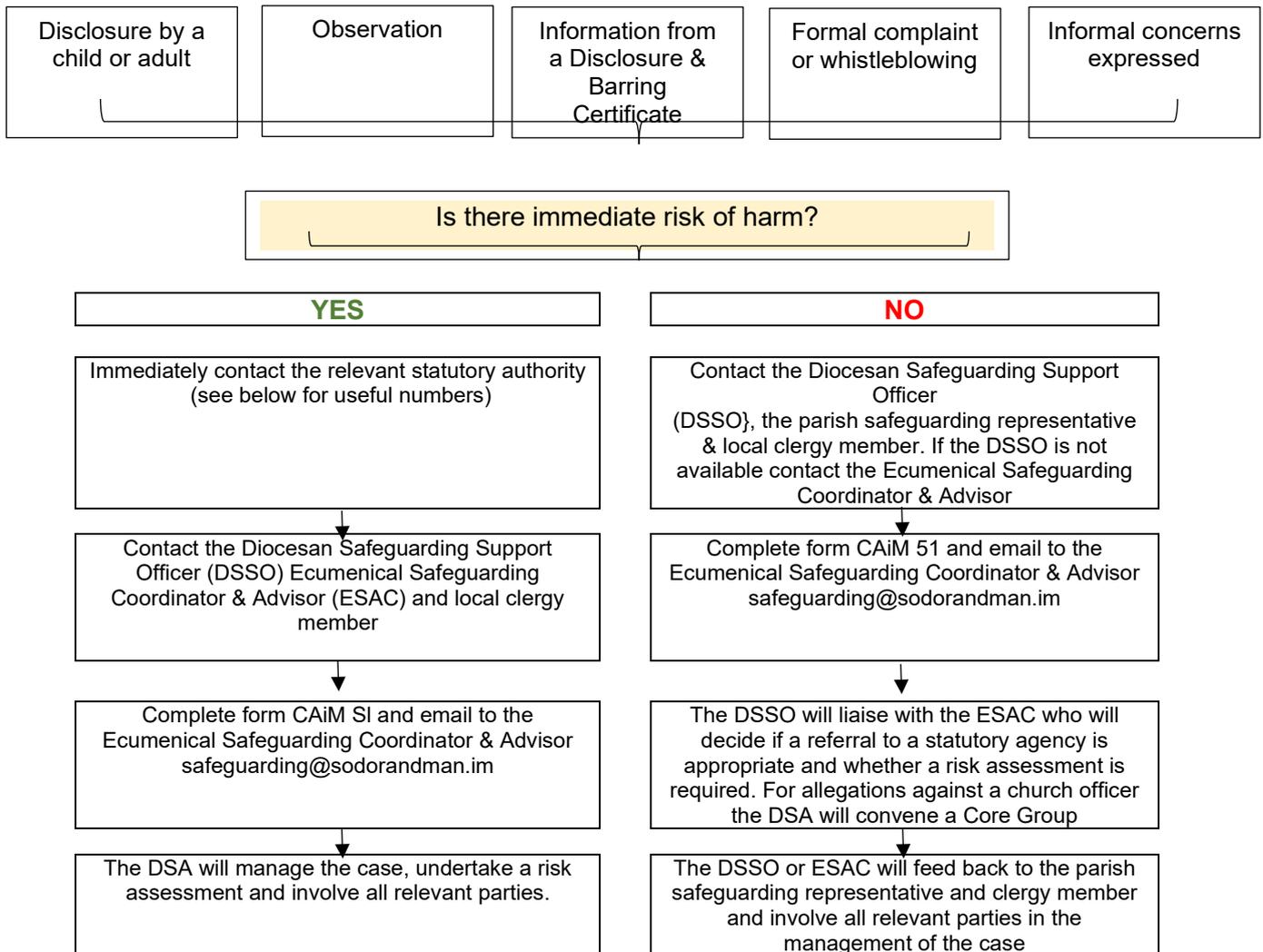


APPENDIX 3 - SAFEGUARDING GUIDE

Quick guide for clergy and safeguarding representatives responding to allegations of abuse or concerns about children and vulnerable adults

Any safeguarding concern should trigger a response. These may include:

- ❖ Inappropriate behaviour by a church official or member of the Christian community
- ❖ Disclosure of abuse from any source either historic or current
- ❖ Concerns from any source that an individual may pose a risk to themselves or others



Useful numbers:

Diocesan Safeguarding Support Officer (DSSO) 494688
 Ecumenical Safeguarding Coordinator & Advisor (ESAC) 235970/829353
 Adults and children's services (office hours) 686179
 Adults out of hours duty social worker 650000
 Children out of hours duty social worker 631212 (Police HQ) Police 999 / 631212

Elderly-Age Isle of Man 631740
 Accommodation-Graih 324767
 Citizens Advice Service: Douglas 626863 Southern 833976 Ramsey 813466
 Drug and alcohol team 617889
 Mental health (24 hr line) 650000 Samaritans (24hr line) 116123
 Relationships - Relate 623902

Diocese Use:

How it was dealt with		
Internal investigation	<input type="checkbox"/>	
Investigation by Diocese Representative	<input type="checkbox"/>	
Passed to another process (please state)	<input type="checkbox"/>	
Investigation by other agencies (please state)	<input type="checkbox"/>	
Please give details of any internal/external investigation		

Actions and outcomes		
Internal actions agreed	<input type="checkbox"/>	
No action required	<input type="checkbox"/>	
Actions imposed or agreed with other agencies	<input type="checkbox"/>	
Please give details:		

Position:	Date completed:
Name:	This record should be kept for at least 3 years from the above date
Signature:	