



## Chelmsford Diocesan Board of Finance

### Complaints Policy

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## **1. Introduction**

- 1.1 The Chelmsford Diocesan Board of Finance (CDBF) is a company, and registered charity, that manages the business and operational affairs of the diocese, including matters relating to Finance, Property, Communications and Media, Safeguarding, Governance, Human Resources, Information Technology and Data Management, as well as Mission and Ministry which deals with training and supporting our clergy. We aim to serve our parishes and churches, worshipping communities and church schools with accountability and responsibility.
- 1.2 We welcome constructive feedback to improve our working practices. This policy is designed to provide a mechanism which is clear, concise and easy to understand for anyone external wishing to make a complaint or provide feedback in connection with our work.
- 1.3 A complaint is defined as an expression of dissatisfaction, treated without prejudice, at the time of submission. The policy aims to resolve matters raised as a complaint.
- 1.4 This policy applies to an external person making a complaint about matters which are handled by the CDBF, the CDBF's policies and processes or the conduct of one or more of its members of staff or anyone else acting on its behalf.
- 1.5 We aim to resolve matters as swiftly and effectively as possible and we encourage the use of the informal stage of the policy as this can provide you with an opportunity to talk about your concerns with the relevant Head of Department. You may find that talking through a situation and airing your concerns can provide you with a satisfactory resolution to your complaint.

## **2. Principles**

- 2.1 We will ensure all complaints are handled in line with the following principles.
  - 2.1.1 At each stage of the procedure, the aim will be to reach a satisfactory conclusion, rather than escalate to the next level.
  - 2.1.2 All complaints will be treated sensitively, confidentially, fairly and within current data protection legislation.
  - 2.1.3 We aim to ensure all matters are managed effectively and efficiently. Where possible, complaints will be handled within the timeframes outlined in this policy. Complainants are also expected to comply with the timeframes.
  - 2.1.4 We may not be able to handle complaints that are submitted 28 days after the incident or most recent incident, or 28 days after the point at which you became aware of the incident. If you submit a complaint outside of these timescales, you will be expected to provide an explanation of why there was a delay, which we will consider.



- 2.1.5 If as part of the complaint process, you require any reasonable adjustments to be made, we will endeavour, where possible to put these in place, in compliance with relevant and current Equality Legislation.
- 2.1.6 We will consider if there are any conflicts arising because of your complaint and if appropriate we will manage these accordingly, which for example could include redistributing work amongst the relevant team.
- 2.1.7 In conjunction with the Chief Executive and the HR Team, Heads of Department should give due consideration to any impact the complaint may have on the team or individual members of staff. We recognise that being a subject of a complaint may be unsettling or stressful for our staff. Heads of Department will have a responsibility to provide support and adjustments, where appropriate.
- 2.1.8 Any questions arising from this policy should initially be addressed to the HR Manager and relevant details can be obtained by emailing [ceo@chelmsford.anglican.org](mailto:ceo@chelmsford.anglican.org).

### **3. Matters which will not be handled under this Policy**

- 3.1 The Church of England is a large and complex organisation and there are many policies which the CDBF and Diocese follow in its day-to-day work. We will be unable to consider complaints relating to those listed in appendix 1 as they are covered by the relevant policies and statutory legislation.
- 3.2 We will also be unable to consider matters that have already been investigated through this policy or an equivalent complaints procedure.
- 3.3 We reserve the right to not proceed with the handling of unreasonably persistent and clearly vexatious complaints. These can be complaints which can be seen as unreasonable. They may not have any serious purpose or value and are designed to cause disruption or annoyance and/or have the effect of harassing the CDBF.

### **4. Third Party Complainants**

- 4.1 A third-party complainant is someone who has not been directly involved with the matter. Any third party complainant must have sufficient interest in the matter (e.g., witness to the matter) or a person to which the complaint relates (e.g., a carer of a vulnerable adult).
- 4.2 It will be necessary for the third party to explain why they are bringing a complaint; their relationship with the parties; their interest and/or involvement in the matters raised; and how they have been directly affected by the actions of any persons acting on behalf of the CDBF.



- 4.3 We reserve the right to determine if a complaint from a third party will be handled under this policy. In these instances, it may be necessary for the CDBF to contact the individual directly affected by the complaint.

## **5. The Complaints Procedure**

The procedure has two stages - Informal Stage and Formal Stage and, if required Appeal (following the formal stage).

### **5.1 Informal Stage**

- 5.1.1 If you are wishing to complain about the CDBF, we strongly encourage you to initially raise your concerns with the relevant Head of Department. You may find that raising your complaint under the informal stage is a sufficient and effective way to resolve your concerns, particularly as the timescales are normally shorter and the method provides the opportunity for direct open discussion with the Head of Department concerned.
- 5.1.2 Details of the Heads of Department can be obtained by emailing [ceo@chelmsford.anglican.org](mailto:ceo@chelmsford.anglican.org) for this information.
- 5.1.3 If your complaint is about a Head of Department, then your concerns should be addressed to the Chief Executive using [ceo@chelmsford.anglican.org](mailto:ceo@chelmsford.anglican.org). If your complaint is about the Chief Executive, you should address your concerns to the Chair of the CDBF using [chair@chelmsford.anglican.org](mailto:chair@chelmsford.anglican.org).
- 5.1.4 You should contact the Head of Department or Chief Executive as soon as reasonably possible, and contact should normally be made within 28 days of the incident or most recent incident occurring or within 28 days of the point at which you became aware of the incident.
- 5.1.5 It may be helpful for you to meet with the Head of Department, either in person, virtually or by telephone. The purpose of this informal process is to provide you with an opportunity to air your concerns and for the Head of Department to address your concerns where it is possible to do so. It may be appropriate for the Head of Department to confirm the outcome in writing to you.
- 5.1.6 We reserve the right to determine if it is appropriate for a complaint to be handled under the informal Stage of the policy.

### **5.2 Formal Stage**

- 5.2.1 Formal complaints must be made in writing and sent via email and addressed to the Chief Executive at [ceo@chelmsford.anglican.org](mailto:ceo@chelmsford.anglican.org) or via post marked for the attention of the Chief Executive at The Chelmsford Diocesan Board of Finance, 53 New Street, Chelmsford, CM1 1AT (marking the envelope Private and Confidential).



- 5.2.2 Formal complaints should be submitted no later than 28 days after the incident or the most recent incident or within 28 days of the point at which you became aware of the incident.
- 5.2.3 Your letter of complaint should include: -
- Detail of alleged incident, including date, time, description of the matter and any individuals who you think may have been involved in the handling of the matter as well as the details of any witnesses.
  - Confirmation of the date you became aware of the issue.
  - Details about how you think appropriate policies and procedures may have been breached.
  - The outcome you are seeking (this will help us to try and resolve your complaint to your satisfaction).
  - Disclosure of any actual or potential conflicts of interest. If you are unsure if there is an actual or potential conflict of interest, please email [ceo@chelmsford.anglican.org](mailto:ceo@chelmsford.anglican.org) for further advice. For example, a conflict of interest might occur where the complainant, a close family member of the complainant or an organisation to which they are closely associated, stands to indirectly benefit from the complaint. This is just an example and there are other instances where a conflict of interest may occur.
  - Information about any adjustments you think you will need to support you with the process (we will then consider what we are able to reasonably implement)
- 5.2.4 Your letter of complaint will be reviewed and if necessary, before proceeding with managing your complaint, we may contact you for further information and clarification around the matters raised in your letter.
- 5.2.5 The Chief Executive will determine if the matter requires an investigation and if appropriate, ensure terms for an investigation are established.
- 5.2.6 The investigation will be conducted by an independent person, who may be a Head of Department from a different department of the CDBF, or externally commissioned.
- 5.2.7 The investigation may involve interviewing anyone involved, including the complainant, and reviewing relevant paperwork. We will write to you to confirm the details of how we will be proceeding with the investigation, if appropriate.
- 5.2.8 The Chief Executive will set a timescale by which the investigation should be completed. This will normally be 28 days; however, consideration will be given to the complexity of the issues and the availability of those involved. You will be informed if an investigation cannot be completed within the designated timescales.



- 5.2.9 The investigator will report their findings to the Chief Executive, who will consider and consult on any action needed.
- 5.2.10 You will normally be provided with feedback within ten working days of completion of the investigation and this will normally be in writing.
- 5.2.11 The Chief Executive will also give due consideration as to whether feedback should be provided to the relevant department, including recommendations for consideration and implementation to improve working practices, processes and protocols.
- 5.2.12 If a member of staff was subject to or implicated as part of the complaint, it may also be appropriate for them to receive feedback. Other action may also be considered in accordance with relevant policies.

### 5.3 Appeal

- 5.3.1 If you remain dissatisfied with the outcome of the Formal Stage, you have ten working days from receipt of the written feedback to appeal against the decision. Your appeal must be submitted in writing and sent to the Chair of the CDBF, via email to [chair@chelmsford.anglican.org](mailto:chair@chelmsford.anglican.org) or addressed to the Chair of the Chelmsford Diocesan Board of Finance, Care of Diocesan Office, 53 New Street, Chelmsford, CM1 1AT.
- 5.3.2 Your letter of appeal should clearly explain the grounds for your appeal and the outcome you are seeking.

Your grounds of appeal would normally include one or more of the following: -

- New evidence that has come to light, which must be set out in your letter of appeal.
  - A statement explaining that you do not agree with the outcome of the formal stage, and a clear rationale for your disagreement.
  - A statement explaining how there has been a failure of process or a procedural error in the handling of your complaint.
- 5.3.3 Your letter of appeal will be reviewed and if necessary, before proceeding with handling your appeal, we may contact you for further information and clarification around the matters raised in your letter.
- 5.3.4 On receipt of the letter of appeal, the CDBF will arrange for an Appeal Panel, which will normally consist of at least two representatives who have had no prior involvement with the complaint to consider the appeal.



- 5.3.5 The role of the Appeal Panel is to consider your grounds of appeal, the investigation report and the outcome letter. It is not the role of Appeal Panel to reinvestigate your complaint.
- 5.3.6 The appeal panel will normally consider and respond to the appeal within 28 days.
- 5.3.7 The decision of the Appeal Panel is final.

#### **5.4 Variation to the Complaints Procedure**

- 5.4.1 There may be occasions when we need to vary the procedure for the handling of a complaint. Should this situation arise, you will be informed of the changes in writing, as appropriate.



### **Appendix 1 - Complaints not covered by this policy.**

This policy does not cover complaints relating to the following: -

- 1) Matters that have already been investigated through this policy or an equivalent complaints procedure including persistent and vexatious complaints. These can be complaints which can be seen unreasonable. They may not have any serious purpose or value and are designed to cause disruption or annoyance and/or have the effect of harassing the CDBF.
- 2) Anonymous complaints will not be dealt with, unless there is significant evidence of a valid case and good reason to protect the identity of the complainant.
- 3) Matters relating to the safeguarding of children and vulnerable adults as these are determined according to [national policies](#).
- 4) Complaints relating to diocesan church schools, where the individual school's complaints process should be used.
- 5) Complaints relating to local parochial matters, where the matter should be referred to the relevant Parochial Church Council (PCC).
- 6) Complaints relating to clergy housing, where the process is set out within the [Guide for Residents](#).
- 7) Complaints from Ecclesiastical office holders where the matter is a grievance relating to the exercise of the Office held - the Archbishop's Council has set out a Code of Practice and supportive advice for dealing with grievances.
- 8) Complaints regarding Bullying and Harassment from ecclesiastical Office Holders and Laity should be addressed using the Getting on Together Policy.
- 9) Issues relating to the capability of Ecclesiastical office holders should be addressed under the Capability Procedure.
- 10) Members of Diocesan Staff, volunteers and consultants should address any concerns using the CDBF's internal policies and processes.
- 11) In addition, this policy is not to be used as a substitute for the Clergy Discipline Measure, which is a separate process and can be [found here](#).