

## COMPLAINTS POLICY

Approved: 10 June, 2021

This document is partly based on a model complaints policy provided by Christian Safeguarding Services.

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## 1. PURPOSE

The purpose of this policy is to provide a process for addressing complaints related to Church life. This policy sets out the procedures for submitting, receiving and resolving informal and formal complaints.

Trinity West Church is committed to openness to receiving complaints. Complaints will be handled carefully, with consistency, and wherever possible leading to resolution and reconciliation. The Church will use complaints as an opportunity to learn and improve for the future.

This policy does not cover safeguarding concerns or allegations about staff or volunteers, which are addressed in the Trinity West Church Safeguarding Policy. Complaints by staff or volunteers in relation to their employment or role should be addressed through the Trinity West Church Grievance Procedure.

### 1.1. Definitions

**Complaint:** A complaint is any expression of dissatisfaction, whether justified or not, about a person acting on behalf of the Church or an aspect of Church life.

Complaints may come from anyone connected or not connected with Trinity West Church. This includes members, visitors, or the general public.

Complaints may be informal or formal. Informal complaints may be expressed verbally or in writing. Formal complaints must be made in writing.

**Complainant:** A person or group making a complaint.

**Respondent:** A person or group against whom a complaint is made.

**Elder:** Someone appointed by the Church to that office to provide spiritual leadership. The Elders of the Church are the Trustees of the charity, with legal responsibility for management and administration.

## 2. RESPONSIBILITIES AND COMMITMENTS

### 2.1. Governance and Oversight

The Elders are responsible for oversight of this policy and its implementation. The Elders commit to:

- Providing a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.

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- Publicising the existence of our complaints procedure so that people know how to contact us to make a complaint.
- Ensuring anyone acting on behalf of Trinity West Church knows what to do if a complaint is received.
- Ensuring all complaints are investigated fairly and in a timely way, following due process as laid out below.
- Ensuring that, wherever possible, complaints are resolved and lead to reconciliation.
- Reflecting on the experiences to help improve Church life.

## **2.2. Pastoral Care**

Following a complaint, the Elders will offer counsel and pastoral care for the complainant and, if applicable, the respondent. This will include the pursuit of reconciliation where possible.

## **2.3. Confidentiality**

Every attempt will be made to ensure that confidentiality is maintained by the Church and the complainant. Ordinarily, information relating to the complaint will only be shared with those involved in resolving the complaint. However, circumstances giving rise to the complaint may be such that it may not be possible to maintain confidentiality. Should this be the case, the situation will be explained to the complainant. The Church will adhere to its Data Protection Policy, including in the handling of sensitive information.

# 3. PROCEDURES

## **3.1. Immediate Concern**

Where a complaint relates to an issue that poses an immediate risk, the Elders will seek to resolve it as soon as possible.

## **3.2. Informal Complaints**

As a Church, we encourage those with a complaint to seek to resolve it informally, speedily and fairly through discussion, problem solving, mediation and negotiation, and without recourse to the formal procedure set out later in this policy.

This will include, but is not restricted to, the biblical grievance resolution process laid out in Matthew 18:15-20. If this does not resolve the complaint, the formal complaint procedure is set out below.

## **3.3. Formal Complaints**

[Appendix A](#) outlines the formal complaint process.

If a complaint cannot be resolved informally, it should be put in writing and submitted to an appropriate Church representative, indicating that it is a formal complaint.

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A formal complaint should contain a brief description of the nature of the complaint, including any relevant facts, dates and names of any individuals involved. See [Appendix B](#) for a sample formal complaint form.

As laid out in 1 Timothy 5:19-21, formal complaints against an Elder of the Church should ordinarily be submitted with the support of two or three witnesses. This does not apply to safeguarding or criminal concerns.

### **3.3.1. Receiving Formal Complaints**

Formal complaints received verbally should be recorded in writing. Those receiving a complaint should take the following actions:

- Establish whether the individual wishes to make a formal complaint under the Trinity West Complaints Policy.
- If so, record the facts of the complaint in writing.
- Record the complainant's name, address and telephone number.
- Record the nature of the relationship of the complainant to Trinity West Church (for example: member, visitor, etc.).
- Signpost the complainant to the Complaints Policy.
- Advise the complainant what will happen next and how long it will take.
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.

Upon receiving a formal complaint, the following actions will be taken:

- The complaint and subsequent actions will be recorded in the Complaints Log.
- The Elders will delegate appropriate person/s to address the complaint.
- If applicable, the respondent should be informed and given a fair opportunity to respond.
- Complaints should be acknowledged within a week by the person/s handling the complaint, explaining when a full reply can be expected and providing a copy of this policy.

### **3.3.2. Resolving Formal Complaints**

#### **Stage 1: Seeking Resolution**

At this stage, the person/s assigned on behalf of the Church to address the complaint will seek to resolve it by meeting with the complainant. If applicable, a meeting may be arranged between the complainant and the respondent to facilitate resolution. Decisions made at meetings should be recorded in writing and sent to all parties for acceptance.

#### **Stage 2: Investigation**

If a complainant feels that their complaint has not been satisfactorily resolved during stage 1, they may request in writing within 14 days of the initial meeting that the complaint is investigated at the Elder level.

At this stage, the Elders will address the complaint through an investigation to establish the facts of the matter and make recommendations accordingly. Ordinarily, this will be an internal investigation, but the Elders have the discretion to refer the investigation to an external, independent person or organisation.

The Elders will appoint an investigator who is not implicated in the complaint, or connected to an implicated person. If the complaint is about the Chair of Elders, then another Elder must be appointed to investigate the complaint. Multiple investigators may be appointed for large or complex investigations.

Ordinarily, at least one of the Elders will refrain from involvement in the investigation, in order to independently participate in an appeal process, if necessary.

Notes of interviews must be recorded in writing and held securely.

### **Written Response**

The Elders will seek to provide complainants with a definitive written response within four weeks from the date of receiving the notice to escalate to stage 2.

If the investigation is still ongoing after four weeks, the investigator will share a progress report, including a target date for a full response. Throughout the process, the Elders will seek to keep all parties informed of the timescales, progress and completion date.

The written response will describe:

- the investigation process
- conclusions from the investigation
- any actions that have been, or will be taken as a result of the complaint

### **Stage 3: Appeals Process**

Where the complainant is not satisfied with the process or outcome of the investigation, they have the right to request an appeal. This request must be submitted to the Elders in writing within two weeks of receiving the written response.

The written submission must clearly state the reasons for the appeal and provide evidence as to why the complainant disagrees with the outcome of the investigation. This submission will be considered by the Elders and an appeal granted where valid grounds have been raised.

When an appeal is granted, the Elders will appoint someone who was not involved in the initial investigation to review the process and outcomes. The appeal is not a reinvestigation of the original complaint. The Elders have the discretion to refer an appeal to an external, independent person or organisation. The Elders will seek to provide complainants with a definitive written decision within four weeks from the date of receiving the appeal request.

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If the appeal process is still ongoing after four weeks, the Elders will share a progress report, including a target date for a full response. Throughout the process, the Elders will seek to keep all parties informed of the timescales, progress and completion date.

The decision at the end of the appeal process is final.

The complainant may, at any time, refer their complaint to the Charity Commission. Information about the type of complaints the Commission can become involved with can be found on its [website](#).

### **3.4. Vexatious Complaints**

If the Elders conclude that a complaint is vexatious (i.e. unreasonable and repeated, once the above processes have been exhausted), where the complainant is a Church Member, the Elders may recommend exercising Church discipline. The Church is under no obligation to investigate the complaint further, once all available avenues of resolution have been explored, as above.

### **3.5. Disciplinary Procedure**

For complaints against staff or volunteers, the Elders will determine whether there are grounds for a disciplinary hearing based on the findings of the formal complaint process.

### **3.6. Reflect and Improve**

After a formal complaint has been resolved or a final decision has been issued, the Church will reflect on the matter, with the aim of learning from the process, improving, and preventing actions that could lead to future complaints.

## **4. RENEWAL**

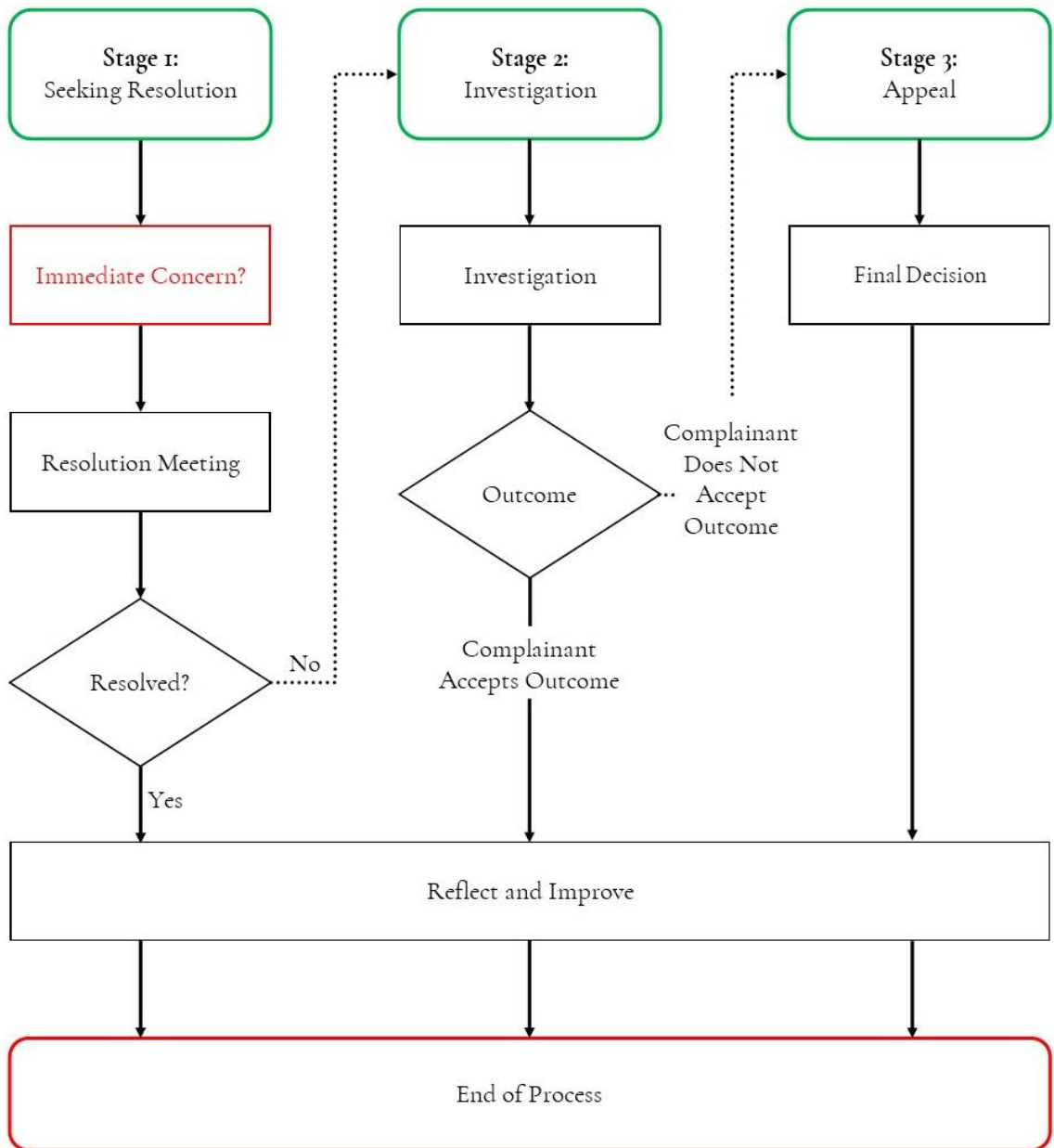
The Elders will review the Complaints Policy at appropriate intervals. They will monitor the effectiveness of the policy, amending it as necessary.

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APPENDIX A – FORMAL COMPLAINT PROCESS



FORMAL COMPLAINT PROCESS





APPENDIX B – SAMPLE FORMAL COMPLAINT FORM



SAMPLE FORMAL COMPLAINT FORM

YOUR DETAILS	
Name:	
Address:	Phone:
	Email:

COMPLAINT DETAILS
Person(s) involved:
<p><b>Complaint:</b> Please describe the nature of your complaint using the supporting information below</p> <ul style="list-style-type: none"> <li>• State the matter or name of the person who is the subject of the complaint</li> <li>• State what happened, when (dates) and where</li> <li>• Provide the contact details or statements of any witnesses</li> <li>• If complaining about a decision, explain what the decision was about, when it was taken, and who made it</li> <li>• Explain what impact this decision has had, or you may fear will have, and upon whom</li> <li>• Provide any additional information that you believe would be helpful</li> </ul>

SAMPLE FORMAL COMPLAINT FORM

Have you tried to resolve this issue informally?	YES	NO
<b>If no, please explain why you decided not to try to resolve this issue informally:</b>		
<b>If you did try to resolve the issue informally, what happened?</b> <i>State who you dealt with, when and where, what information you provided to them, and what you felt was unsatisfactory about the outcome.</i>		
<b>What actions do you want taken and what type of resolution are you are seeking?</b>		
Signature:  Date:		
<i>Trinity West Church will store the details on this form in accordance with the legal requirements of the EU General Data Protection Regulation (GDPR) (2016/679) and the Data Protection Act. The Church cannot guarantee to keep the details of your complaint confidential if it is necessary and proportionate to share your data in order to review and resolve your complaint.</i>		