

## **Diocese of Leicester**

### **Complaints Policy**

The Diocese of Leicester views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person who has made the complaint.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint.
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- To make sure everyone who works for the Diocese knows what to do if a complaint is received.
- To make sure all complaints are investigated fairly and in a timely way.
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired and reconciliation explored.
- To gather information which helps us to improve what we do.

#### **Definition of a Complaint**

A complaint is an expression of dissatisfaction, whether justified or not, about any aspect of the Diocese of Leicester.

#### **Where Complaints Come From**

Complaints may come from:

- people who are dissatisfied with the service that they have received from a member of staff employed by the Diocese of Leicester
- people who have concerns relating to policies for running the diocese or decisions taken by the directors/trustees and others involved in governance bodies.

A complaint can be received by phone, email or in writing. It is our policy that we will not investigate anonymous complaints.

This policy does not cover:

- Disclosures, concerns or allegations about abuse of children or vulnerable adults, which should always be referred directly to the police or Social Services where there is immediate danger and otherwise to the Diocesan Safeguarding Adviser. (Please note that this policy does cover complaints about safeguarding responses such as failure to follow diocesan or national processes.)
- Complaints regarding members of clergy about serious misconduct which are dealt with under the Clergy Discipline Measure (CDM).
- Complaints relating to local church matters, where the complaint should be referred to the PCC.
- Complaints relating to the Cathedral, which should be referred to the Cathedral Chapter.
- Complaints relating to diocesan church schools, where the individual school's complaints process should be used.
- Complaints from staff of the Diocese, who should use the grievance procedure of their employing body. This includes situations where the grievance is about another staff member.
- Complaints from members of Clergy where the issue is a grievance relating to the exercise of the office held - the Archbishops' Council has set out a Code of Practice and supportive advice for dealing with such grievances.

### Complaints about clergy which may come under this policy

From time to time 'complaints' or issues of concern about individual members of clergy are brought to the attention of the Bishop or to members of the Bishop's Leadership Team. 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. If other complaints processes apply, for example bullying and harassment or allegations of serious misconduct that may be considered under the Clergy Discipline Measure, the person complaining will be directed and helped to access them.

### Data Protection Complaints

This is the procedure that the Diocese will use for the purpose of data protection complaints which come under the Data (Use and Access) Act 2025.

### **Confidentiality**

All complaint information will be handled sensitively, shared only with those who need to know, and used and stored in line with relevant data protection requirements.

### **Responsibility**

Overall responsibility for this policy and its implementation is with the Trustee Board of the Diocesan Board of Finance.

### **Review**

This policy is reviewed every two years and updated as required.

## **Complaints Procedure**

### **Publicised Contact Details for Complaints:**

Written complaints may be sent to the Chief Executive and Diocesan Secretary, St Martins House, 7 Peacock Lane, Leicester LE1 5PZ, or by email to [jonathan.kerry@leicestercofe.org](mailto:jonathan.kerry@leicestercofe.org). If the complaint is about the Chief Executive and Diocesan Secretary it may be sent to the Chair of the Diocesan Board of Finance, St Martins House, 7 Peacock Lane, Leicester LE1 5PZ.

### **Receiving Complaints**

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have.

Complaints received by telephone or in person need to be recorded. The member of staff or volunteer who receives a complaint made over the phone or in person should:

- Write down the facts of the complaint
- Take the complainant's name, address and telephone number
- Note down the relationship of the complainant to the diocese
- Tell the complainant that we have a complaints procedure
- Tell the complainant what will happen next and, where possible, 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.

A complaint concerning a member of staff will always be taken seriously and followed up within the provisions of the procedure, ensuring that the complainant and employee(s) will be given the opportunity to talk to the person undertaking any investigation and that they can be accompanied if they wish.

## **Resolving Complaints**

### **Informal Stage**

In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the 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, somebody is dissatisfied with the service they have received, then in the first instance they should tell their immediate diocesan contact 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.

### **Formal Stage**

If the complainant feels that the problem has not been satisfactorily resolved during the informal process, they can escalate the complaint to the formal process. At this stage, the complaint will be passed to the Chief Executive and Diocesan Secretary or, if they have already been involved, to the Chair of the Board of Finance. In the case of complaints about clergy which come under this policy (ie not serious misconduct under the Clergy Discipline Measure) these will be passed to the Bishop of Leicester, or, in their absence, the Bishop of Loughborough.

Complaints should be acknowledged by the person handling the complaint within a week. The acknowledgement should say who is dealing with the complaint and when the complainant can expect a reply. A copy of this complaints procedure should be attached.

A suitably senior person may be appointed to investigate the facts of the case, who may be an external investigator. 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 complaint relates to a specific person, they should be informed and given an opportunity to respond. The person who dealt with the original 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.

Making a complaint and being the subject of a complaint can be stressful, particularly where serious matters are raised. Internal or external support may be offered to either or both of the complainant and employee as appropriate to the situation.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint. Where disciplinary action is deemed appropriate,

the reply to the complainant will not include details relating to the employment record of individual staff members.

Where a complaint about an employee results in formal follow up within the employment relationship it will not always be possible to communicate the nature of any action taken to the complainant.

It should be recognised that in some instances it may not be possible to resolve the matter to the satisfaction of the complainant. However, the aim should 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 Board decides it is appropriate to seek external assistance with resolution. A log of the complaint will be kept.

### **External Stage**

The complainant can complain to the Charity Commission at any stage. The commission's involvement in looking at complaints is limited to issues that pose a serious risk of significant harm to a charity's beneficiaries, assets, services or reputation. Information about the kind of complaints the Commission can involve itself in can be found on their website at:

[www.charitycommission.gov.uk/publications/cc47.aspx](http://www.charitycommission.gov.uk/publications/cc47.aspx)

### **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.