

Service Complaints Policy and Procedure for the NCIs

Summary

At the National Church Institutions (NCIs), we aim to provide a helpful, efficient and quality service. Sometimes, we know we won't get things right, and when that happens, we want the chance to put things right for the people or organisations involved.

We also want to be able to learn lessons and improve our practice for the future. We don't want to keep making the same mistakes.

This complaints policy and procedure sets out how someone can let us know when something has gone wrong with the service we provide and what steps we will take to address their concerns.

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Approval and review

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Revision history

Version no.	Revision date	Summary of changes
1	20 April 2020	Approved version 1 with JECBSB additions
1.1.	19 June 2020	Updated exclusions list to reflect a further statutory exclusion
1.2	3 August 2020	Updated confidentiality statement
1.3	21 October 2020	Updated exclusions list
1.4	9 November 2020	Updated exclusions list
2	5 October 2021	Annual review of policy. Approved by JECBSB.

Introduction

1. The National Church Institutions (NCIs) have a critical role to play in supporting the mission and ministries of the Church across the country. We offer a diverse range of services to the Church, working with parishes, dioceses, schools and other national partners.
2. We aim to always offer a helpful, efficient and quality service to all whom we serve. But sometimes when something goes wrong, we want to hear that feedback from the individuals and organisations we work with. Occasionally that may necessitate a formal complaint, addressed under this policy.

Definitions

3. A complaint is any expression of dissatisfaction with the service offered by the NCIs. This could include:
 - a. An issue with the standard of service provided e.g. we have applied an agreed policy incorrectly
 - b. A specific action we have taken (or not taken) e.g. we have not done something we said we would do.
 - c. Or the behaviour of individuals working within or on behalf of the NCIs. This could include the behaviour of staff (including consultants and contractors), volunteers, trustees and committee members.
4. Complaints may come from any individual, volunteer or organisation personally connected with a specific matter being handled by the NCIs, including the general public, members of the Clergy and staff in a Church Body.

Scope and limits

5. The policy and its associated procedure relates specifically to the work of the NCIs, who operate nationally across the Church. Everyone who works in and on behalf of the NCIs should be familiar with this document and support the delivery of the complaints process should a complaint occur within their area.
6. This policy does **not** cover:
 - Complaints about a Diocese, Cathedral, Religious Community or other Church body (including Parochial Church Councils, diocesan bodies, cathedrals, and theological training institutions). These bodies may have their own procedure.
 - Complaints concerning officeholding clergy including bishops. These may be covered by the Clergy Discipline Measure.
 - Complaints from NCI staff, who should refer to the NCIs internal policies (e.g. 'Speaking Up' Whistleblowing or Dignity at Work).
 - Complaints which would be handled under specific statutory or legislative requirements e.g.
 - a. Complaints about data protection would be handled by the Data Protection Officer, under the NCIs Data Protection and Individual Rights Policies.

- b. Safeguarding disclosures¹, or Pension scheme administration
 - Complaints concerning a disagreement with a Church policy matter, including any associated procedures/processes being carried out by the NCIs
 - Complaints concerning activities where the NCIs are acting in accord with a statutory imperative. For instance, activities where staff are furthering the Church Commissioners' lawful charitable objects in accordance with its statutory functions (e.g. promoting land for development or carrying out work to maintain property assets).
 - Complaints about Bishops' Advisory Panels or Candidates Panels, which in the first instance, are handled via a separate procedure.
7. In the above situations, on receipt of the complaint, the NCIs will refer the complainant directly to the relevant process/contact (where possible).

Policy

8. Within the NCIs, we will,
 - provide a fair, open, and accessible complaints procedure which is clear and easy to use (**see next page**)
 - ensure all complainants are treated seriously with courtesy and respect
 - ensure anyone who is the subject of a complaint, or who is involved in its receipt or investigation, is treated fairly with dignity and respect. This includes anyone who is mentioned in a complaint, who may have relevant information which supports the investigation.
 - ensure that complaints are dealt with as quickly as possible and responded to appropriately. Although we have set a target number of days for each part of our complaints procedure, our aim will always be to do better than this.
 - ensure staff are appropriately trained to receive and manage complaints well, utilising our complaints procedure.
 - ensure that there will be no negative impact on the service provided by the NCI to the complainant by a complaint being made.
 - gather information from any relevant source which helps us to improve what we do.
9. **Confidentiality:** All complaints will be handled and logged sensitively, telling only those who need to know. Any personal data will be processed in accordance with data protection requirements and as stated in our Privacy Notice. It may not be possible to investigate complaints made anonymously, unless the complaint suggests that the safety of an individual is at risk.

We ask that all parties to a complaint (whether the complainant, NCI staff, or any external party) co-operate in keeping complaints confidential whilst the handling of the complaint is in progress. A party may, however, on occasion be required to confirm the fact that a complaint has been made and to provide limited details where there is a legitimate reason for doing so.
10. **Monitoring and learning from complaints:** Complaints will be tracked locally within each NCI throughout the year and should be included in regular internal performance reports to governing bodies. At least once a year the Chief Officers will review whether

¹ Although safeguarding disclosures and concerns will be managed by House of Bishops Safeguarding policies, complaints about the service provided by the National Safeguarding Team will fall under the remit of this complaints policy and procedure.

there are any identifiable key trends or recurring issues across all NCIs that could inform common learning and action.

11. **Help, support and accessibility:** We want this policy and its associated procedure to be accessible to any individual needing to make a complaint. But we recognise that some individuals may have particular needs (such as physical or sensory impairment) and would require additional support or reasonable adjustments to make a complaint (e.g. via friends or other representatives, or the format if investigation meetings or documentation). Where possible the NCIs will help a person making a complaint to identify a suitable person to guide them through the process, and will where possible provide alternative ways of engaging with the process or providing documents in specific formats. This additional support cannot though be a legal representative or advocate who acts directly on their behalf. Help and support will also be offered to any member of staff subject to a complaint through normal internal channels (including line management support, Trades Unions, EAP etc).
12. **Recording complaint meetings:** We want to make sure that any complaint is investigated fully, and this may mean arranging face to face or virtual meetings as appropriate with those involved (including the complainant and any relevant parties to the investigation). We would expect that notes are taken of these meetings and distributed to all attendees. In some instances, it might be appropriate to engage an independent/neutral note-taker.

It is not usual practice to record complaints meeting. On occasion, we might be able to record a meeting held remotely as a reasonable adjustment to allow for an individual to participate fully in a meeting by having a copy of the recording to which they can refer afterwards.

Where it is agreed by those involved that this would be helpful, the responsible officer will arrange for this to happen and will share the recording. All parties must be aware that any information shared relating to third parties during the meeting, and therefore recorded, may be disclosable under data protection laws.

If an individual wants a meeting to be recorded, but the other parties involved do not agree, no recording should take place. Covert recording is not acceptable under any circumstances.

Our Complaints Procedure

Our procedure starts from trying to resolve issues before they become complaints.

Informal resolution and mediation

- In many cases, a concern can be most easily resolved by raising it in the first instance, with the person, team or body responsible for the relevant area or service. Or if the concern is about the behaviour of an individual, then there is the option to give feedback directly to that individual and/or their line manager (where appropriate).
- By raising the concern directly, all involved can work together to find a resolution.
- Sometimes it may be appropriate to consider mediation. Mediation involves using suitably trained and qualified mediators to try to resolve the matter and to reduce the risk of the complaint escalating further. This may help where the concern relates to a particularly complex situation or where those involved are struggling to reconcile different views. Mediation services can be accessed through the NCI HR department.
- If it is not possible or appropriate to raise a concern directly with the responsible area/team/individual, or seek mediation, the **formal complaints** process is available.

Resolving Formal Complaints

Stage One

How to complain

- A formal complaint should ideally be made in writing, by post or email and addressed to the person responsible for the area, service or matter being complained about (**the responsible manager**). This should be sufficiently detailed to allow for investigation e.g. covering what led to the complaint (i.e. a specific incident, experience or decision), whether this has been looked at before, who's involved and the impact.
- If it is not possible to easily identify the right responsible manager to deal with the complaint, then on receipt, the relevant department or body, will direct it accordingly. Where the complaint relates to an individual, their line manager will usually take on the role of responsible manager, or in the case of a trustee/committee member(s), another trustee or director (as appropriate).²

What you can expect from us at stage 1

- On receiving the complaint, the **responsible manager** will check whether this procedure applies, or if another would be more appropriate in which case the **complainant** (the person making the complaint) will be notified accordingly. They will also assess whether they have the necessary skills to investigate and if not, they will find the right colleague to do so.
- All complaints will normally be acknowledged within **five working days** of receipt³ by the **responsible manager**. They will ensure the **complainant** has this policy and procedure, confirming also the timescales for dealing with the complaint, method of contact, what help/support is available and what outcome would make things right for them.
- The **responsible manager** will investigate the complaint, gathering all relevant information. This should include, where appropriate, whether a service was provided in

² If the complaint is about a Chief Officer, the Chair of the relevant governing body would be notified, but it may be more appropriate to appoint a fellow Trustee to conduct stage 1 on their behalf. Similarly if the complaint is about a Trustee, the relevant Chair should be notified.

³ If the responsible manager is on leave, they will acknowledge the complaint upon their return.

line with the NCI core values and service standards (if applicable) or agreed policies and procedures. If the complaint relates to a specific person, they will have the right to be told of the complaint and to present their response. It might be appropriate to contact any third parties named in a complaint, where they have information relevant to the investigation.. In doing so, the responsible officer might need to provide them with details of the complaint and, where relevant, the name of the complainant. A decision on whether third parties should be contacted and information shared will be made by the responsible officer.

- The **responsible manager** will write to the **complainant** with the outcome (i.e. whether the complaint was upheld, partly upheld or not upheld) within **20 working days** after acknowledging receipt. If this is not possible, the manager will let the complainant know before this time period elapses with a target date for response.

What happens if you are not happy with the outcome?

- If dissatisfied with the outcome, a **complainant** will have **15 working days** to submit a written request to move to Stage Two. **Please note that complaints will usually only be considered at Stage Two if new information has come to light, or there is evidence that all the information was not fully considered.**

Stage Two

What you can expect from us at stage 2

- At Stage Two, the complaint will be reviewed by a more senior level of management, who should be at minimum band 2 or in the case of a complaint against trustees/committee members or a Chief Officer, by the Chair of the relevant governing body⁴ or a nominated delegate (the **next level decision maker**).
- The **next level decision maker**, in consultation with HR, will either conduct the investigation themselves or appoint an appropriate **Investigating Officer**. The identification of who is best placed to fulfil this role will be judged by the next level decision maker on a complaint by complaint basis. It may be appropriate to appoint a person not connected to the NCIs to carry out the investigation (e.g. an independent complaints investigator from the relevant sector). This will be dependent on the complexity and type of complaint received; not simply on request from any party involved.
- Complaints will be acknowledged in writing within **five working days** of referral to Stage Two by the **next level decision maker**. They will also confirm with the **complainant**, the timescales for dealing with this stage of the complaint, how they want to be contacted and what help/support is available to them.
- The **Investigating Officer** would then start their investigation, providing a report to the **next level decision maker** within **20 working days** of their appointment. The investigation may, as with stage 1, require discussions with those involved in the complaint, including any third parties named in the complaint.
- On receipt of the investigation report, the **next level decision maker** will write to the **complainant** with the outcome, within **10 working days**. This concludes the final stage of the Complaints Procedure.
- The above deadlines can be extended, but only where there is a clear justifiable reason, which is shared with the **complainant**, along with a revised timescale for completion. If an **Investigating Officer** is appointed from outside the NCIs then it is reasonable to assume that some adjustment to the timescales above would apply.

⁴ If the complaint is about the Chair, then stage 2 could be handled by the Chair of the relevant Audit Committee.

Conclusion of the process

Stage 2 is the last step of the complaints process. Once a case has been considered under this stage, it should be closed. If further correspondence is received that seeks to reopen the matter (from any party) it will be acknowledged, but no further action will be taken by the NCIs.

If after concluding the NCI process, a complainant is dissatisfied with the outcome, they might be able to seek further help from the Charity Commission.

The Charity Commission can only usually get involved where an issue “pose a serious risk of significant harm to a charity’s beneficiaries, assets, services or reputation.” More information can be found here: www.gov.uk/government/publications/complaints-about-charities/ or by contacting the Charity Commission on 0300 066 9197 or at PO Box 211, Bootle, L20 7YX.

APPENDIX: PROCESS FLOWCHART

