Procedure Name: Complaints Procedure		**Maybridge Community Church**
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Introduction
The primary purpose of the complaint's procedure is to provide a process for dealing with complaints relating to the behaviour of, or activities and decisions taken by, the Maybridge Community's (MCC) Staff, Elders, Trustees, Partners or Volunteers

Anyone who wishes to make a formal complaint should follow the stages of this complaint's procedure. This will ensure that the complaint is dealt with fairly and in a timely manner. Individual Elders or Trustees should not be approached to raise concerns or complaints. They have no power to act on an individual basis, and it may prevent them from considering complaints at Stage 3 of the procedure.

General Principles
Wherever possible MCC will follow Biblical principles of reconciling differences informally and personally. However, on occasion attempts to resolve an issue informally may fail or may not be appropriate. Where this is not possible or appropriate, the MCC will seek to resolve complaints through a formal process.

Can a complaint be made if they are not a Partner of the MCC?
Yes. It is not a requirement to be a Partner of MCC to make a complaint. If individuals believe they have reasonable grounds to make a complaint and cannot resolve the issue informally or believe it would not be appropriate to do so, they can make a complaint.

Definitions of a complaint and a concern
A concern may be defined as 'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'.

A complaint may be defined as 'an expression of dissatisfaction however made, about actions taken or a lack of action'.

Either a concern or a complaint can be about a person or persons, an activity or a group, or about a service that is provided by MCC.

Exclusions from this procedure
(a) Safeguarding concerns relating to the protection of children or adults at risk. Any safeguarding concern should be reported to MCC's Designated Safeguarding Lead.
(b) Employment grievances should follow the staff grievance procedure outlined in the employee's contract of employment.

How to make a complaint and the resolution process
Complaints can be made by phone, in person, or in writing. The procedure involves an informal stage, where attempts are made to reconcile differences according to Biblical principles. If this fails or is deemed inappropriate, a formal process follows.

Social media
Any concern or complaint should be kept confidential between the complainant and the MCC, and not be posted on social media, as it could compromise the stages of the formal procedure if Elders or Trustees are exposed to the details.

Timescales
The complaint must be raised within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. The MCC will consider complaints made outside of this timeframe if exceptional circumstances apply.

If other public bodies are investigating aspects of the complaint (e.g. the police, safeguarding teams, or a tribunal), this may impact on the MCC's ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations. If legal action has been taken against the MCC in relation to the complaint, the complaints procedure may be suspended until those legal proceedings have concluded.

Resolving concerns
MCC takes concerns seriously and will make every effort to resolve the matter as quickly as possible, by offering an empathic response, an explanation of events or, if appropriate, a recognition that the situation could have been handled differently or better. If this is the case, the MCC will explain any steps that will be taken to help ensure it will not happen again, with any timescales within which any changes will be made.

Informal process
Wherever possible the MCC will follow Biblical principles of reconciling differences and dealing with complaints informally and directly with the people concerned if possible and appropriate, involving a third person if necessary (see Matthew 18 v 15-17).

However, on occasions, attempts to resolve an issue informally may fail or it may not even be appropriate. A formal process of reviewing and addressing the complaint is available for such cases. It is hoped that during this informal stage, most complaints can be resolved by talking and achieving a shared understanding of the issues.

Formal process (Stage 1)
The MCC has a form for recording complaints (appendix 2) and ideally, complaints should be made using this document. If, however, the MCC receives a written complaint which is not on this prescribed form, the person designated to receive the complaint will ensure that all the information required for the form has been included. If not, they will request the additional information that would have been provided had the form been completed.

Complaints should be made to the Operations Director.

If the complaint concerns the Operations Director, then you should address the complaint to the Chair of Trustees.

Anonymous complaints
The MCC typically does not investigate anonymous complaints, unless the Operations Director and/or the Chair of Trustees deems an investigation necessary under the whistleblowing policy.

Duplicate complaints
After a complaint has been addressed, MCC will not investigate duplicates unless new aspects have emerged. Withdrawal of a complaint can be done in writing to the Operations Director.

Dealing with a complaint
On receipt of the complaint, the relevant person will:

- Reply within 10 working days to acknowledge the complaint and to, inform the complainant who will be dealing with their complaint;
- During the investigation, the relevant person will, if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish and keep a written record of any meetings/interviews in relation to their investigation.

Within 15 working days, write to the complainant informing them of the outcome of the investigation.

Complaints where there is a police investigation
If the police investigate the person who is the subject of the complaint in relation to the same or related matters, MCC may not be able to begin or complete the review until the police have completed their investigations.

Confidentiality and data protection
MCC treats complaints in line with its privacy policy, maintaining confidentiality. However, in certain circumstances, MCC may need to make a public statement, report to authorities, or seek professional advice.

The complainant should maintain reasonable confidentiality as to the nature and content of the complaint, other than to seek professional advice if required. The concern or complaint should not be posted on any social media platform as it could compromise the impartiality of the complaint investigation.

Roles and Responsibilities Stage 1
MCC will ensure the complaints' procedure is up to date and is easily accessible on the MCC website. MCC will send the complaints procedure (or link) to the complainant immediately upon receipt of a complaint, or upon notification of an impending complaint, whichever is sooner.

The complainant will receive a more effective response if they:

- explain the complaint in full as early as possible;
- co-operate with the MCC in seeking a solution to the complaint;
- respond promptly to requests for information/meetings or in agreeing the details of the complaint;
- ask for assistance as needed;
- treat all those involved in the complaint with respect;
- refrain from publicising the details of their complaint on social media;
- do not share the complaint with others and respect confidentiality.

The Stage 1 investigator will be the Operations Director unless the complaint is made against them. Their role is to establish the facts relevant to the complaint by providing a comprehensive, open, transparent and fair consideration of the complaint. This may include:

- sensitive and thorough interviewing of the complainant to establish what has happened, who has been involved and what they feel would put things right;
- interviewing the people relevant to the complaint;
- consideration of records and other relevant information;
- analysing information.

The Stage 1 investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive response for the complainant that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

Appealing a decision Stage 2

Complainants unhappy with how MCC deals with the complaint should write to the Chair of Trustees telling them that they want to appeal and why. This must be done within 10 working days of the stage 1 response. Requests received outside of this time frame will only be considered in exceptional circumstances. The Trustees will:

- acknowledge the appeal within 10 working days of receiving it
- review it within 25 working days of receiving it
- appoint a subcommittee of 3 members (Trustees Appeal Panel) to investigate the complaint.

The Trustees will decide who will deal with the appeal based on the nature of the complaint. For example, complaints about theology, pastoral care, MCC vision etc. will be dealt with by the Elders whereas a complaint about finance, governance, etc. will be dealt with by the Trustees.
Trustees will contact the complainant to:

- confirm whether it will take longer than the time prescribed by this policy
- seek further information, if required
- recommend what remedial action, if any, should be taken, giving reasons
- write to the complainant informing them of the outcome of the appeal

An appeal should not include new evidence, unless it could not have been provided at the time.

Roles and Responsibilities Stage 2 (Appeal)

The Trustees' appeals panel will consider the complaint afresh from an independent perspective. They will read the complaint, the report of the Stage 1 investigation and any associated evidence. If appropriate they will invite the complainant to a meeting to discuss the complaint and will use this meeting to ask questions to clarify any queries.

It is envisaged that it will normally be the case that Stage 2 can be completed without the need for a formal meeting with the complainant.

The complainant must not approach individual Elders or Trustees if an appeal has been made - They have no power to act on an individual basis and it may prevent them from considering complaints in stage 2 of the process.

Trustees' appeal panel - The Trustees' panel, dealing with the appeal, will consist of two to three Elders or two to three Trustees with no prior knowledge of the complaint and who do not have a vested interest in the outcomes. If there are fewer than two people available, the Trustees will source a suitably skilled MCC Partner.

Setting a date – If the panel offer the complainant a meeting they will provide three possible dates for the meeting, which should all be within a calendar month of receiving the Stage 2 written complaint appeal request. They will also check if the complainant has any access requirements. If the timescales cannot be met then they will explain why and keep everyone informed. Every effort should be made to achieve an outcome within acceptable timescales, so a deadline will be given to choose one of these dates.

If the Trustee's panel has not heard from the complainant, or cannot make any of the dates, the panel has the discretion to forgo the meeting and proceed with their investigation.

Once the date has been set, the panel will write to all parties, confirming the following:

- Date, time and venue for the meeting;
- Aims and objectives of the meeting and how it will be conducted;
- The agenda for the meeting;
- The names of the Trustee's appeals panel members;
- A request for any documentation either party wishes the panel to consider (see below);
- Clarification about who can accompany both parties (see below);
- How and when the panel will reach their decision.

Documentation – the panel will give a deadline date for any party to submit documentation that gives them enough time to organise and circulate it to all parties at least five working days before the meeting. The documentation from all parties must be distributed at the same time, so it can be considered together by everyone preparing for the meeting.

Representatives – If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. We do not encourage either party to bring legal representatives to the meeting. The panel will ask for details of anyone attending with the complainant. Representatives from the media are not permitted to attend under any circumstances.

Electronic recordings – these are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent to electronic recordings must be sought from all parties attending before all meetings or conversations take place. Consent will be recorded in any minutes taken.

New complaints – the panel will not review any new complaints at this stage or consider evidence unrelated to the initial complaint. New complaints must be dealt with under Stage 1 of this policy.

The chair of The Trustees' appeals panel - one of the panel's members agrees to act in this role who should ensure that:

- No panel member has an external interest in the outcome or involvement in an earlier stage of the procedure.
- The meeting is conducted in an informal manner, i.e. is not adversarial, and that everyone is treated with respect and courtesy.
- The purpose of the appeal is explained to everyone.
- Written material that is seen complies with GDPR regulations.
- The procedure for the meeting is followed.
- The panel is open minded and acts independently.

The Trustees' appeals panel should be aware that:

- The meeting must be independent and impartial, and should be seen to be so.
- No panel member should be on the panel if they have an external interest in the outcome or involvement in an earlier stage of the procedure.
- The aim of the meeting should be to resolve the complaint and achieve reconciliation.
- The complainant may not agree with the conclusion, so it may be only possible to establish facts and make recommendations.
- The views of everyone should be respected.

Procedure for the meeting:

1. The chair of the Trustee's appeals panel will introduce everyone and explain that they are there to review the complaint with the aim of reaching a resolution for the complainant and the MCC.
2. The chair of the panel will give the complainant the opportunity to put their case forward without undue interruption.
3. The panel can then ask any questions of the complainant to establish facts and further their understanding.
4. The chair lets both parties know how they will be notified of the panel's findings, within agreed timescales. The chair draws the meeting to a close.
5. Everyone except the panel members leave at the same time.

The Trustee's appeals panel will consider the complaint and all the evidence presented. The panel will come to a decision whether:

- any fault was found (i.e. complaint upheld in whole or in part)
- no faults were found (i.e. complaint not upheld)

If the complaint is upheld in whole or in part, the panel will decide on the appropriate action to be taken to resolve the complaint and, where appropriate, recommend changes to MCC's systems or procedures to prevent similar issues in the future. The decision will be communicated in writing to all parties within five working days. If it is not possible to meet this deadline, the panel chair will contact both parties with a revised date.

Conclusion

Following this three-part process (Informal Stage, Formal Stage 1, Appeal Stage 2) then this concludes the complaints process. The MCC reserves the right to not enter into further correspondence following the conclusion.

Appendix 1 Unreasonable complaints

Complaints that are unreasonable usually fall into the following three areas.

1. A serial complainant is one who continues to find a reason to complain on a regular basis, often frivolous, burdensome and unwarranted.

2. A persistent complainant continues to find a reason to complain on a regular basis, often repeating the same complaint without foundation.

3. A vexatious complainant is one that pursues complaints, regardless of its merits, solely to harass, annoy, or subdue someone and is never satisfied with the outcome.

Therefore, the complaint may be reasonable, but the behaviour of the complainant may be unreasonable to such an extent that it is impossible to reach a satisfactory conclusion to a complaint.

MCC is committed to dealing with all complaints fairly and impartially, and to providing a high-quality service to those who submit a complaint. We will not normally limit the contact complainants have with the MCC, including the staff, Elders, Trustees or Partners. This includes not jumping to the conclusion that there is a serial, persistent or vexatious complaint as complainants may be aggravated and frustrated that will affect their behaviour in some way. However, MCC does not expect staff, MCC Partners, Elders, Trustees and any others who use MCC premises, to tolerate unacceptable behaviour and MCC will take action to protect them from that behaviour, including that which is abusive, offensive or threatening.

MCC defines unreasonable behaviour as that which hinders our consideration of complaints because of the frequency or nature of the complainant's contact with MCC, such as, if the complainant:

- refuses to articulate their complaint or specify the grounds of a complaint or the outcomes sought by raising the complaint, despite offers of assistance,
- refuses to co-operate with the complaint's investigation process
- refuses to accept that certain issues are not within the scope of the complaints procedure,
- insists on the complaint being dealt with in ways which are incompatible with the complaint's procedure or with good practice,
- introduces trivial or irrelevant information which they expect to be considered and commented on
- raises large numbers of detailed but unimportant questions, and insists they are fully answered, often immediately and to their own timescales,
- makes unjustified complaints about others who are trying to deal with the issues, and seeks to have them replaced,
- changes the basis of the complaint as the investigation proceeds,
- repeatedly makes the same complaint (despite previous investigations or responses concluding that the complaint is groundless or has been addressed),
- refuses to accept the findings of the investigation into that complaint where MCC's complaint procedure has been fully and properly implemented and completed,
- seeks an unrealistic outcome,
- makes excessive demands on MCC by frequent, lengthy and complicated contact with others regarding the complaint in person, in writing, by email and by telephone while the complaint is being dealt with,
- uses threats to intimidate,

- uses abusive, offensive or discriminatory language or violence,
- knowingly provides falsified information,
- publishes unacceptable information on social media or other public forums,
- breaks confidentiality by distributing or sharing documents pertaining to the investigation to others.

Complainants should try to limit their communication with MCC that relates to their complaint, while the complaint is being progressed. It is not helpful if repeated correspondence is sent (by letter, phone or email), as it could delay the outcome being reached.

Whenever possible, the chair of Elders or Trustees will discuss any of the above issues with the complainant informally before officially applying the unreasonable status. If the behaviour continues, the chair will write to the complainant explaining that their behaviour is unreasonable and ask them to change it. For complainants who excessively contact MCC, causing a significant level of disruption, MCC may limit the number of contacts that can be made.

Failure to comply with a request of reasonable behaviour will mean that the complaint investigation may be compromised, and this will form part of the conclusion of the Trustee's sub-committee. This may include reaching a conclusion that the complaint cannot be investigated due to the unreasonable behaviour of the complainant.

If the unreasonable behaviour continues, after the conclusion of a complaint investigation, then the following may be enacted:

1) A warning letter will be issued to inform the complainant that if the unacceptable behaviour doesn't desist immediately, then it becomes a matter of MCC discipline.
2) If the unacceptable behaviour doesn't desist immediately then a meeting with the complainant will be called by the Elders. The complainant should bring a relative or friend to provide support at the meeting, but not a lawyer or a member of the press. The complainant will be told the consequences of their action and the level of discipline. This is not a time for the complainant to put their point of view as this has already been done previously. All the Elders do not need to be present at the meeting, but there should be at least two. However, all the leadership need to be unanimous in the decision.
3) After the complainant has been told the decision, e.g. ask the complaint to leave MCC, and not to enter MCC premises in future, the meeting ends.
4) The leadership needs to make a plan to ensure what has been agreed is actioned.

Any threat or action of aggression or violence may be reported to the police. In the case of any serious incident of aggression or violence, MCC will immediately inform the police and communicate MCC's actions in writing.

Appendix 2 Complaint Form

MAYBRIDGE COMMUNITY CHURCH COMPLAINT FORM

Name of Complainant:

Address:

Phone: **Date of Incident:**

Email:

Subject of Complaint:

Complaint Details:

Evidence submitted supporting claim:

Have you tried to resolve this matter informally? Yes / No
If no, explain why you have not tried to resolve this matter informally?

what did you feel was unsatisfactory about the outcome?

Desired outcome:
What actions are you wanting MCC to take and what outcome are you seeking? MCC cannot promise to do what you ask, but it would be helpful to know what resolution you are seeking.

Signed: _____ **Date** _____

By signing this form, you are agreeing to comply with MCC's complaints procedure. This includes maintaining reasonable confidentiality as to the nature and content of your complaint, other than to seek professional advice if required. Your concern or complaint should not be posted on any social media platform as it could compromise the impartiality of the complaint investigation.

Maybridge Community Church will treat your data carefully and in accordance with the MCC's privacy policy. MCC cannot guarantee to keep the details entirely confidential if it is necessary and proportionate to share this information in order to review and resolve your complaint.

Appendix 3 Flow

1. Complaint arrives
2. Informal resolution takes place
3. If not resolved, stage 1 formal process is initiated
4. Official complaint arrives
5. Pass complaint onto Operations Director, or Chair if Trustees, as appropriate.
6. Reply within 10 days to acknowledge complaint
7. Investigate complaint
8. Reply within 15 days the outcome of the investigation
9. Complaint is resolved
10. If complainant is unhappy with the decision, then stage 2 appeals process is initiated
11. Appeal paperwork arrives
12. Pass complaint onto Chair of Trustees
13. Chair of Trustees convenes a panel of trustees, or elders, as appropriate
14. Date of meeting set
15. Details of meeting sent to complainant
16. Meeting takes place
17. Result of meeting is decided
18. Result of meeting distributed