

# The Parish of St Mary Magdalene, Yarm

## COMPLAINTS and GRIEVANCE PROCEDURE

The following policy was agreed at the Parochial Church Council (PCC) meeting held on 21<sup>st</sup> June 2021

### Complaints and Grievances Procedure

#### 1 What counts as a complaint and a grievance?

A complaint is a written or verbal expression of dissatisfaction or disquiet about an action, or lack of action by a person acting on behalf of the church, or about the policies and procedures of the church. When the complaint is made formally, in writing, it is usually referred to as a grievance. A complaint or a grievance may include an allegation that a person has behaved in an unacceptable way.

- Complaints and grievances against clergy are handled through the Clergy Discipline Measure. Complaints or grievances against clergy should be referred to the archdeacon or the bishop by the Churchwardens.
- Complaints and grievances against licensed or commissioned ministers (Readers, Church Army Officers) are handled through a separate Diocesan procedure. These complaints or grievances should be addressed to the Incumbent\* of the parish.
- Complaints and grievances against the Churchwardens should be addressed to the Incumbent\* who will invoke the necessary actions.
- All other complaints or grievances should be submitted to the Incumbent\* or one of the Churchwardens
- At all stages the investigation and panel hearings must be kept strictly confidential and the content and process must not be discussed outside the hearings. There should always be two independent people investigating.

#### 2 Problem-solving

The aim always, when responding to complaints and grievances, is to enable them to be resolved informally, speedily and fairly by discussion, problem solving, mediation and negotiation. Problems should therefore be brought direct to the person(s) deemed responsible for the area of dissatisfaction or disquiet, and will hopefully be resolved in this way.

**If, however, a complaint or grievance relates to or includes an allegation that a child or adult who may be vulnerable has been harmed or is at risk of harm, or that an adult or another child may have caused harm to a child or adult who may be vulnerable, it MUST be responded to through the safeguarding procedure.**

If the complaint or grievance does not concern a child or adult who may be vulnerable, and the person bringing it is not satisfied with the outcome at the problem-solving stage, that person may then invoke this formal procedure. A complaint or grievance does not automatically result in disciplinary action; however, as a result of an investigation into a complaint or a grievance, it may be necessary to address the matter through the disciplinary procedure. If this is necessary it will be a separate process under the Disciplinary procedures.

#### 3 Formal procedure for complaints and grievances

##### Stage One

- On receipt of a complaint the Incumbent\* or Churchwarden will arrange for two people to meet with the complainant to listen to and note the facts of the complaint or grievance. A record of this meeting will be kept recording all the relevant facts and evidence; a copy of this will be given to the complainant, who must agree that the record is an accurate statement of the complaint.
- The Incumbent\* and a Churchwarden will then interview the subject of the complaint or grievance, who may also be accompanied by a friend or other supporter if they wish, to listen to their response to the complaint

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or grievance brought against them. A record of this meeting will be kept and given to the subject of the complaint or grievance who must agree by signing the record of the meeting that it is accurate.

- The Incumbent\* and a Churchwarden may then interview any other relevant parties and record the outcome of the interviews.
- The Incumbent\* and a Churchwarden then draws conclusions and informs the complainant and the subject of the complaint or grievance of the outcome of the investigation orally and in writing. This should be done ideally within a week of the complaint or grievance being made, but will be subject to the availability of all parties concerned.

### Stage Two

- If the conclusions reached at Stage One do not satisfactorily resolve the complaint or grievance, the complaint or grievance should be put in writing to the other Churchwarden, who will convene and chair a panel of two PCC members who have not been involved in the process before.
- The panel will repeat the Stage One process, meeting separately with the complainant, the subject of the complaint or grievance and additionally with the Incumbent\* or Churchwarden who conducted the initial investigation.
- The panel may also separately call other witnesses as necessary.
- The panel members will then sit alone to form a judgement and make a decision about the complaint or grievance. The Chair of the panel will inform the complainant and the subject of the complaint or grievance of the outcome of the investigation orally and in writing. This should be done ideally within a month of the original complaint being made, but will be subject to the availability of all parties concerned

The decision of the panel representing the PCC will be final.

Vice Chair: .....

Churchwarden: .....

Date: .....

\* For the purpose of this document "Incumbent" means the RECTOR or during a vacancy the AREA DEAN