

Southern Counties Baptist Association Complaints Procedure

1. Introduction

The primary purpose of the SCBA complaints procedure is to provide a clear process for dealing with complaints relating to decisions taken by staff, trustees, committees or boards, including those who are appointed on a voluntary basis to serve on working groups or committees, or complaints about conduct.

2. General Principles

We should be mindful that all people make mistakes and that a formal complaint should be a last resort. SCBA’s desire is that wherever there are concerns relating to actions taken by SCBA those with concerns will do all they can to resolve those concerns informally rather than escalating their concerns into a formal complaint. It is advisable to follow Scriptural principles of reconciling differences wherever possible before resorting to this formal process. However, we recognise that in some cases there will be no alternative but to resort to a formal complaint. This formal procedure should only be instigated when attempts to resolve the issue informally have failed or where, due to the nature of the complaints, it is not appropriate to address it with the person concerned.

We will comply with our GDPR policy which allows only “adequate, relevant and non-excessive processing” of personal data.

3. Who can bring a complaint?

There is no restriction on who can bring a complaint. However, in some cases we may receive a number of inter-related complaints or a number of people may make the same complaint. In those circumstances we may decide to consolidate the investigation into the complaints or to deal with the earliest complaint first. The approach will depend on the nature of the complaints and the timing of the receipt of the complaints.

4. What types of complaint will be considered?

SCBA will deal with complaints about:

- The application of SCBA’s procedures or decisions made by SCBA which relate to the complainant.
- The conduct of staff employed by or volunteers serving churches on behalf of SCBA.
- The conduct of trustees and others who are appointed to serve on a voluntary basis on boards, committees and working groups of SCBA.

5. How do you make a complaint?

5.1 Complaints regarding application of procedures or decisions made

A complaint must be made in writing and must set out the following:

- The actions you are complaining about.

- When they took place.
- Why you think the actions are wrong.
- Details of what you have done to try and resolve your concerns.
- What you consider would resolve your concerns.
- Details of who else you have reported the matter to.
- Any additional information.
- Confirmation that you are happy for details of your complaint and the supporting documentation to be provided to those who have made the decisions in question.

Any supporting documentation should be enclosed.

Your complaint will not be dealt with unless you provide all of the information set out above. SCBA provides a form that can be used to make a formal complaint (Appendix 1).

The complaint should be sent to the Regional Minister Team Leader who will arrange for an investigation to take place. Where your complaint relates to the actions of the RMTL, it should be sent to the Moderator of the Trustee Board who will arrange for an investigation to take place.

5.2 Complaints regarding SCBA staff, trustees and other volunteers serving SCBA

A complaint must be made in writing and must set out the following;

- The name of the person you are complaining about.
- The events you are complaining about.
- Details of when the events took place.
- Details of where the events took place.
- Details of any witnesses to the issues of concern.
- Details of what you have done to try and resolve your concerns.
- What you consider would resolve your concerns.
- Details of who else you have reported the matter to.
- Any additional information.
- Confirmation that you are happy for details of your complaint and the supporting documentation to be provided to the person complained about should it be necessary to do so.

Any supporting documentation that exists should also be enclosed.

Your complaint will not be dealt with unless you provide all of the information set out above. SCBA provides a form that can be used to make a formal complaint (Appendix 1).

The complaint should be sent to the Regional Minister Team Leader who will arrange for an investigation to take place. Where your complaint relates to the actions of the RMTL, it should be sent to the Moderator of the Trustee Board who will arrange for an investigation to take place.

6. How will this complaint be dealt with?

6.1 Investigation

In the first instance, the complaint will be acknowledged in writing or by email within five working days. Secondly, the RMTL will appoint an investigator to look into the complaint. If there are

safeguarding aspects in the complaint, paragraph 8 will be applied. You will be told who will be appointed to investigate.

The complaint will then be reviewed by the investigator. The person investigating will seek to:

- Establish what has happened and when it happened and who else was involved.
- Meet with the complainant or contact them if there is a need for clarification regarding the complaint or further information is required.
- If following the initial information and any discussions with the complainant the investigation is to proceed, the investigator will inform those who have been complained about of the nature of the allegations made (unless in the opinion of the investigator this would prejudice the investigation interview).
- Interview those involved and those complained about where necessary to understand their account of events.
- Keep notes of all investigatory interviews.

6.2 Complaints regarding application of procedures or decisions made.

- Once the investigation is concluded the investigator will decide whether the complaint is well founded, then discuss the conclusions with the RMTL and agree actions. The investigator will send the complainant their decision. Where any aspect of the complaint is upheld the investigator should also specify the actions suggested to remedy the situation.

6.3 Complaints regarding SCBA staff conduct.

- If the person investigating concludes that the evidence suggests that conduct worthy of disciplinary action may have taken place, the issue will be dealt with under the Staff Disciplinary Processes. Where the person complained about is on the RMT and is also an accredited minister they may also be dealt with under the recognition rules if the investigator concludes that the evidence suggests that conduct unbecoming or serious misconduct may have taken place. If this is the case, the matter will be dealt with under the Ministerial Recognition rules from this point onwards.
- The complainant will be informed that the matter is being dealt with in this way, and will be given details of the Ministerial Recognition rules.

6.4 Complaints regarding SCBA trustees and others who are appointed to serve on a voluntary basis on a board, committee or working group of SCBA or serve SCBA in other ways.

- If the person investigating concludes that the evidence suggests that misconduct may have taken place, the issue will be referred to the Moderator of the SCBA Trustee Board who will chair a panel of three trustees unconnected with the matter under investigation to consider the evidence and to come to a decision. The panel may choose to invite the complainant, or the person complained about to address the panel, but are not required to do so. Such a decision will be communicated to the complainant and to the individual within 5 days of the panel's decision. The Moderator will also inform the Charities Commission if circumstances require.
- Where the person complained about is an accredited person they may also be dealt with under the ministerial recognition rules if the investigator concludes that the evidence suggests

that conduct unbecoming or serious misconduct may have taken place. If this is the case, the matter will be dealt with under the Ministerial Recognition rules from this point onwards.

- The complainant will be informed that the matter is being dealt with in this way and will be given details of the Ministerial Recognition rules.

7. Timescales

Following receipt of each complaint the investigator will within 21 days give the Complainant an estimate of their expected timescale for dealing with the complaint. Where, as the investigation proceeds, it is not possible to meet those timescales, an updated timeline for dealing with the complaint will be provided.

The more complex the complaint the longer the timescale is likely to be. In some cases it can take several months to properly investigate and respond to a complaint.

If the subject matter of the complaint has also been referred to the Police it may be that our investigation into the complaint cannot commence or be completed until the Police have completed their investigation and either decided not to proceed or a Court decision has been taken. Our approach in these cases will depend on the particular circumstances of the case.

8. Child or Adult Protection Issues

Where a complaint relates to child or adult protection issues the investigation and follow up actions will be carried out in accordance with our child and adult protection procedures in place and these may be adjusted to account for the particular circumstances and any guidance issued by the local authority designated officer involved in the case. In particular, sensitive information used must be managed and only shared proportionately.

9. What if you are unhappy with the outcome of the investigation?

9.1 Complaints regarding application of procedures or decisions made.

You will have the right to appeal any decision on a complaint on these issues. Written notice of intention to appeal should be made within 14 days of the date when the outcome of your complaint was sent to you. The appeal itself should be made within a further 14 days. The appeal should be in writing and must be sent to the RMTL who will arrange for your appeal to be considered by someone other than the person who took the initial decision (where possible).

The appeal must set out:

- Your grounds of appeal.
- What you consider would resolve your concerns.

9.2 Complaints regarding the conduct of staff, trustees and those in voluntary appointments.

There is no right for Complainants to appeal against the outcome of the investigations into SCBA staff, trustee and volunteer conduct. This is because we believe that individuals in these groups

who are under investigation need certainty that if an investigation has concluded it will conclude the matter.

If new evidence comes to light that has not previously been submitted, that should be provided to the investigator who will determine whether further investigation is necessary in light of that evidence.

10. Vexatious Complaints

If the investigator considers that a complaint has been made vexatiously or in bad faith, the RMTL and moderator, with other relevant persons, will consider the appropriate response.

11. Contact by complainant

Once you have submitted a formal complaint, you should avoid any ongoing discussion or correspondence with the person you have complained about relating to your complaints without the consent of the investigator.

12. Confidentiality

The fact of and content of your complaint will be kept confidential save in so far as is necessary in order for us to properly investigate the complaint and reach a decision relating to it, unless we are aware that you have not treated the fact or content of your complaints confidential.

Please note that we expect you to maintain reasonable confidentiality as to the nature and content of your complaint so that the investigator is able to work without obstruction.

Useful Contacts:

SCBA Regional Minister Team Leader:

Revd Dr Colin Norris

Email: c.norris@scba.org.uk

SCBA Moderator of the Trustees

Revd Anne Carter

Email: moderator@scba.org.uk

Agreed by SSG 30th September 2020

Appendix 1

COMPLAINTS PROCEDURE FORM

This form can be used to submit the following complaints:

- Complaints regarding application of procedures or decisions made (Section A)
- Complaints regarding staff conduct (Section B)

SECTION A – Complaints regarding application of procedures or decisions made

Name: Address: Contact Telephone Number: Email Address:
The actions you are complaining about:
When they took place:
Why you think the actions were wrong:
Details of what you have done to try and resolve your concerns:

What you consider would resolve your concerns:
Details of who else you have reported the matter to:
Any additional information:
Confirmation that you are happy for detail of your complaint and the supporting documentation to be provided to those who have made the decisions in question:

Please note your complaints will not be dealt with unless you provide all of the information set out above.

Please send this form to the Regional Minister Team Leader at the following address marked "Private and Confidential", who will arrange for an investigation to take place. Where your complaint relates to actions of the RMTL, please send this form to the Moderator of the Trustee Board at the same address who will arrange for an investigation to take place.

Southern Counties Baptist Association
 Baptist House
 129 Broadway
 Didcot
 Oxon
 OX11 8XD

SECTION B – Complaints regarding staff conduct

<p>Name:</p> <p>Address:</p> <p>Contact Telephone Number:</p> <p>Email Address:</p>
<p>The name of the person you are complaining about:</p>
<p>The events you are complaining about:</p>
<p>Details of when the events took place:</p>
<p>Details of where the events took place:</p>
<p>Details of any witnesses to the issues of concern:</p>
<p>Details of what you have done to try and resolve your concerns:</p>

<p>What you consider would resolve your concerns:</p>
<p>Details of who else you have reported the matter to:</p>
<p>Any additional information:</p>
<p>Confirmation that you are happy for detail of your complaint and the supporting documentation to be provided to the person complained about should it be necessary to do so:</p>

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