

## COMPLAINTS PROCEDURE

1. The Southern Counties Association (SCBA) adheres to the procedures and processes as detailed in the 'Baptist Union of Great Britain (BUGB) Complaints Procedure', a copy of which is attached at Appendix 1 of this paper, and paragraph 4 of which details the complaints that will be considered by BUGB.
2. Additionally, the SCBA has its own procedures and processes, which are appropriate to complaints which relate only to the SCBA (i.e. which are not applicable to complaints which are for consideration by BUGB or individual churches or organisations – see paragraph 5 of Appendix 1 of this paper).
3. As with the BUGB procedures and processes, it is recommended that those with concerns relating to the SCBA will do all they can to resolve the concerns informally, rather than escalating their concerns into a formal complaint.
4. However, should it be necessary to resort to a formal complaint directed at the SCBA, then that complaint must be made in writing, using the form in Appendix 2 of this paper.
5. The complaint should be submitted to the Regional Minister: Team Leader(s), unless he/she is the cause of the complaint, in which event the complaint should be submitted to the SCBA Moderator. Should the Moderator also be a cause of the complaint, the complainant should seek advice on how best to proceed from the Minister of his/her own church or of another church within the SCBA.
6. The recipient of the complaint will acknowledge receipt of the complaint and will arrange for the complaint to be investigated. This will normally be by a group of two or three members duly appointed for this purpose, drawn from the SCBA Staffing Group. Should they deem it necessary, they may refer the complaint to the Regional Minister: Team Leader(s), of another association.

BAPTIST UNION OF GREAT BRITAIN

COMPLAINTS PROCEDURE

1. Introduction

The primary purpose of the Baptist Union complaints procedure is to provide a clear process for dealing with complaints relating to decisions taken by its staff or relating to the conduct of persons on its accredited registers.

2. General Principles

We should be mindful that all people, including Ministers and Church Workers, make mistakes and that a formal complaint should be a last resort. The Baptist Union's desire is that wherever there are concerns relating to the conduct of a Baptist Minister, Church Worker or relating to actions taken by the Baptist Union 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.

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 receipt of the complaints.

4. What types of complaints will be considered?

The Baptist Union will deal with complaints about:

- 4.1 The conduct of Accredited Baptist Ministers or Church Workers where it is suggested their conduct is unbecoming for a Baptist Minister or Church Worker or amounts to serious misconduct (see Appendix 1 to understand what may be conduct unbecoming);
- 4.2 The application of the Baptist Union's procedures or decisions made by the Baptist Union which directly relate to the complainant (unrelated to the conduct of an Accredited Baptist Minister).

4.3 The conduct of staff employed by the Baptist Union (unless the complaint relates to employment with the Baptist Union) In the case of a minister in the employ of the Union if the conduct is potentially serious or unbecoming they will also be dealt with under 4.1 above.

5. What type of complaints will not be considered?

- Complaints regarding the performance of an accredited Minister or Church Worker (this is an issue to be dealt with by individual churches or organisations);
- Complaints regarding the conduct of an accredited Minister or Church Worker where there is no suggestion that their conduct is either unbecoming or amounts to serious misconduct (this is an issue to be dealt with by individual churches or organisations);
- Complaints about the support provided to the church or minister(s)/church workers by the Regional Association (that is a matter for the complaints process of the Regional Association);
- Complaints about non-accredited staff of Associations, colleges or local churches (this is matter for the Association, College or local church)
- Complaints about the application of the Baptist Union's procedures or decisions made by the Baptist Union which do not directly relate to the complainant;
- Grievances relating to employment decisions (this is a matter for the "employer's" grievance procedure).
- Complaints raised which do not comply with the requirements of this procedure will not be dealt with and the complainant will be sent a copy of the complaints procedure.

6. How do you make a complaint?

#### 6.1 Complaints of Conduct Unbecoming or Serious Misconduct of an accredited person

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

- The name of the person you are complaining about;
- The events which you consider amount to conduct unbecoming [or Serious Misconduct];
- 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; and
- 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.

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. The Union provides a form that can be downloaded from the website or requested from the General Manager that can be used to make a formal complaint.

The complaints should be sent to the Head of Ministry and marked as “Private and Confidential”. Where the complaint relates to the Head of Ministry’s conduct the complaint should be sent to the General Manager.

#### 6.2 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 detail of your complaint and the supporting documentation to be provided to those who have made the decisions in question.

Any supporting documentation that exists should be enclosed.

Your complaint will not be dealt with unless you provide all of the information set out above The Union provides a form that can be downloaded from the website or requested from the General Manager that can be used to make a formal complaint.

The complaints should be sent to the General Manager who will arrange for an investigation to take place. Where your complaint relates to actions of the General Manager they should be sent to the General Secretary who will arrange for an investigation to take place.

#### 6.3 Complaints regarding staff conduct

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; and
- 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.

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. The Union provides a form that can be downloaded from the website or requested from the General Manager that can be used to make a formal complaint.

The complaints should be sent to the General Manager who will arrange for an investigation to take place. Where your complaint relates to actions of the General Manager they should be sent to the General Secretary who will arrange for an investigation to take place.

#### 7. How will the complaint be dealt with?

The complaint will be acknowledged within 5 working days. Subsequently you will be told who will be appointed to investigate. The complaint will then be investigated. 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;

#### 7.1 Complaints of Conduct Unbecoming or Serious Misconduct against an Accredited Person

- The investigation will usually be led by a Regional Minister or someone appointed on their behalf;
- The person investigating will also determine whether the accredited person complained of needs to be suspended from the relevant register during the course of the investigation;
- If the person investigating concludes that the evidence suggests that conduct unbecoming or Serious Misconduct may have taken place the accredited person will be dealt with under the applicable Recognition Rules;
- The Complainant will be informed that the matter has been escalated in this way. They will then be told the outcome of the disciplinary process;
- If a prima facie case is not made out the Complainant will be informed of the decision, and the reasons for it.

#### 7.2 Complaints regarding application of procedures or decisions made

- Once the investigation is concluded the investigator will decide whether the complaint is well founded and send the complainant their decision. Where any aspect of the complaints are upheld the decision should also specify the actions suggested to remedy the situation.

#### 7.3 Complaints regarding 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 also an accredited person 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.
- The complainant will be informed that the matter is being dealt with in this way.

### 8. 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 and, where it is not possible to hit 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.

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 investigations 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.

## 9. Child or Adult Protection Issues

9.1 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 or 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.

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

### 10.1 Complaints of Conduct Unbecoming

There is no right for Complainants to appeal against the outcome of the investigations into conduct unbecoming or Serious Misconduct. This is because we believe that Ministers 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.

### 10.2 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 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 General Manager 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; and
- What you consider would resolve your concerns.

### 10.3 Complaints regarding staff conduct

There is no right for Complainants to appeal against the outcome of the investigations into staff conduct . This is because we believe that staff 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.

#### 11. Vexatious Complaints

If the investigator concludes that a complaint has been made vexatiously or in bad faith the Baptist Union reserves the right to take the following actions:

- In all cases to inform the complainant that this is how the complaints are being seen, the reasons why, and the consequences of this.
- In the case of Baptist Church members who have made complaints – to write to the Deacons of the Church indicating that the particular church member has been found to have made a vexatious complaint or has made a complaint in bad faith and that they may wish to consider exercising church discipline in relation to that.
- In the case of a minister who has made a complaint - this would be treated as an issue of potential conduct unbecoming and would be dealt with under the Baptist Union's Ministerial Recognition Rules .

In the case of complaints from anyone else – further complaints and correspondence from the complainants would be ignored.

#### 12. Contact by complainant

Once a formal complaint has been made, 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.

#### 13. 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 as confidential.

Approved by the Trustees of the Baptist Union of Great Britain on 7 September 2012



## MAKING A FORMAL COMPLAINT

A complaint must be made in writing and must set out the following. Any supporting documentation that exists should be enclosed.

Name:

Address:

Contact Telephone Number:

Email Address:

Church where you are in membership (or attend):

The actions you are complaining about, or which you consider amount(s) to conduct unbecoming.

When the action(s)/event(s) took place.

(If appropriate) Where the action(s)/events(s) took place.

Details of any witness(es) to the issue(s) of concern.

Details of what you have done to try to resolve your concern(s).

What you consider would resolve your concern(s).

Details of anyone else you have reported the matter to.

Any other relevant information.

Confirmation that you are happy for details of your complaint and the supporting documentation to be provided to the person(s) complained about or who made the decision(s) in question, should it be necessary to do so.