

# The Church of England – Birmingham Safeguarding Complaints Procedure

*The Birmingham Diocesan Board of Finance agreed the following complaints procedure on 16<sup>th</sup> May 2018*

The Church of England – Birmingham takes complaints about our work and quality of service in all aspects of safeguarding seriously. We view complaints as an opportunity to learn and improve the support that we offer to parishes. If you are not satisfied with the service you have received, please follow the process below.

## Our aims are:

- to provide a fair procedure which is clear and easy to use
- to be open about how we will deal with complaints
- to ensure that all complaints are investigated fairly in a timely and proportionate way to resolve complaints
- to gather information in order to improve our service

## What is a complaint?

For the purpose of these procedures, a complaint is any expression of dissatisfaction about any aspect of the safeguarding service provided to you at a diocesan level. A complaint made under this procedure should set out how national or diocesan safeguarding policy or guidance has not been followed. Disagreement with the professional decisions which have been made in a case is not in itself grounds for a complaint.

## Who can make a complaint?

The complainant must be the person directly affected by the issue or an interested party to the person affected (e.g a close relative), and not an unrelated third party or wider observer.

## How will the complaint be dealt with?

All information will be handled sensitively, sharing information on a 'need to know' basis and in accordance with the diocesan privacy notice.

Overall responsibility for this procedure and its implementation lies with the Bishop of Birmingham through the Bishop's Safeguarding Management Group.

These procedures will be reviewed periodically as required.

### This complaints procedure cannot be used:

- to make a safeguarding referral. If a child or adult is, or may be, being harmed, or is harming another child or adult, report this to your Parish Safeguarding Co-ordinator or the Bishop's Safeguarding Adviser, (online at <https://www.cofebirmingham.com/safeguarding/> or telephone 07342 993 844) or in an emergency the police on 101 or 999
- by a Birmingham Diocesan Board of Finance employee. Employees should use the grievance and whistleblowing procedures set out in the Diocesan Staff Handbook

This complaints procedure is for issues where national or diocesan safeguarding policies and procedures have not been followed

## Complaints procedure

### Informal Resolution

In many cases, a complaint is best resolved between the complainant and the person responsible for the issue that is being complained about. We expect that all reasonable efforts will have been made to resolve the issue swiftly on an informal basis if possible and appropriate.

However, we appreciate that this isn't always possible or appropriate and therefore have the following three stage process in order to deal with formal complaints raised.

### Stage One

Initially, the complaint should be made to the Human Resources Director. This can be in writing or by telephone and must include:

- Your full name and contact details
- What you think went wrong and how it affected you
- The outcome you are seeking, i.e. what you think should be done to put matters right

All telephone conversations will be recorded in writing and shared with the complainant to ensure accuracy and transparency. The complaint will be acknowledged and responded to within a reasonable period of time and a copy of this complaints procedure will be supplied.

The Human Resources Director will do the following:

- initiate discussions with the complainant to fully understand their issue, seek clarity and be clear on what would constitute a resolution for them
- form a view and decide who the best person to respond to the complaint would be
- make a decision as to the appropriate action and communicate this to all parties

It is hoped that an acceptable resolution can be found and the complaint can be concluded to the complainant's satisfaction at this level. However, if this is not the case, the complainant must inform the Human Resources Director within a reasonable period of time of their decision to initiate stage two, which will be progressed as follows:

## Stage Two

At stage two, the details of the complaint and actions taken at stage one will be passed to the Independent Chair of the Bishop's Safeguarding Management Group. The Independent Chair will:

- acknowledge receipt of the stage two complaint
- make it clear when a response can be expected.
- review all documentation and the actions taken so far
- discuss with the complainant the situation from their perspective and why resolution could not be reached. All conversations will be recorded in writing and shared with the complainant for accuracy and transparency
- discuss the same with the Human Resources Director and the Diocesan Safeguarding Team (where appropriate)
- consider what, within the framework of diocesan policy and if necessary, the law, could be a way forward to resolve the issue at hand
- where necessary, take advice from the Diocesan Secretary in order to formulate a response for the complainant and any necessary action

The reply to the complainant will inform them of the action(s) taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Again, hopefully the complaint can be resolved at this level, but if not then the complainant must notify the Independent Chair of the Bishop's Safeguarding Management Group within a reasonable period of time of the decision to move to stage three, which will be progressed as follows:

## Stage Three

At stage three, the details of the complaint and actions taken at stages one and two will be passed to the Bishop of Birmingham who will:

- acknowledge receipt of the complaint
- make it clear when a response can be expected.
- review all documentation and the actions taken so far during stages one and two
- discuss the same with the complainant, Independent Chair of the Bishop's Safeguarding Management Group, Human Resources Director and the Diocesan Safeguarding Team as appropriate
- consider what, within the framework of national and diocesan policy and if necessary, the law, could be a way forward to resolve the issue at hand
- where necessary, take advice from the Diocesan Registrar in order to formulate a response for the complainant and any necessary action

A final decision and any action deemed necessary will be communicated to the complainant within a reasonable period of time. The Bishop's decision will be the final response to the complaint.

## External

If, despite all stages of the procedure having been followed, the complainant remains dissatisfied, they may choose to escalate their concerns to The Church of England, national safeguarding team and request an independent assessment of the complaint.

If the complaint refers to a breach of the Birmingham Diocesan Board of Finance's safeguarding responsibilities as defined by the Charity Commission for Charity Trustees, the complainant may refer their concerns to the Charity Commission.

If the complainant believes that the Bishop of Birmingham, the Birmingham Diocesan Board of Finance or any of their employees has committed a criminal offence they should report this to the police.

## Recording, monitoring and learning

### Recording Complaints

The Human Resources Director will keep a record of all safeguarding complaints to include the following information:

- date complaint(s) received
- name and status of complainant
- brief description of complaint(s)
- summary of the outcome of the complaint(s) and how and when this was communicated to the complainant
- any actions taken

Records of complaints will be kept for a maximum of two years following a final outcome being communicated to the complainant.

### Monitoring and Learning from Complaints

The number and outcome of any complaints will be reported at least annually to the Bishop's Safeguarding Management Group to identify any trends which may indicate a need to take further action.