



## Complaints Against Clergy and Resolution Procedure

### Responsibility for hearing complaints

The Bishop of Oxford has pastoral responsibility for the diocese of Oxford. He shares that responsibility with three other bishops: the Bishop of Buckingham, the Bishop of Dorchester and the Bishop of Reading. Each bishop exercises pastoral care for an area of the diocese. The Bishop of Oxford cares for the deaneries of Oxford and Cowley; the Bishop of Buckingham is the Area bishop caring for, broadly speaking, all of Buckinghamshire and Milton Keynes; the Bishop of Dorchester is the Area bishop caring for, broadly speaking, all of Oxfordshire, except the deaneries of Oxford and Cowley; and the Bishop of Reading is the Area bishop caring for, broadly speaking, all of Berkshire.

Within each area, the bishop's pastoral responsibility for all who live in our communities is shared with clergy in parishes and local churches so that all parishioners and those who are celebrating life events (such as births and marriages) and those who are sick or grieving can learn of, experience and share in God's love for all people.

### Content of complaints

Unfortunately, there are times when, in this context, someone might feel that they have not been treated in an appropriate way, or that a clergyperson has done something which they should not have done, or has not done something which they should have done. The procedure set out below explains how you can raise your concerns or complaints with the clergyperson's Area Bishop so that a resolution can be found.

This procedure is not about formal allegations of misconduct under the Clergy Discipline Measure, which involves allegations relating to a serious safeguarding failure, a serious contravention of ecclesiastical law, serious neglect or inefficiency in the performance of the duties of office or serious conduct unbecoming or inappropriate to the office or work of a clerk in Holy Orders. Complaints based upon grievances, disagreements, and/or minor acts or omissions should be raised under this procedure rather than as formal allegations under the CDM.

### Aim of this procedure

This procedure is an opportunity for complaints relating to clergy to be raised in writing and then to be independently and fairly assessed. It also provides an opportunity for clergy to respond to those complaints. However, there might be other ways of hearing and addressing those concerns in the first instance. If possible and appropriate, concerns should be raised informally with the clergyperson involved, and the clergyperson should be open to those conversations. If the complaint relates to allegations of bullying or harassment, [a diocesan Authorised Listener can be contacted](#) to hear those concerns in the first instance.

Where that is not appropriate, however, this procedure can be used. The bishops have agreed to adopt this procedure in accordance with the *Code of Practice* issued under the Clergy Discipline Measure affecting all clergy, as a constructive way of enabling complaints to be heard and responded to in the hope of a resolution between those involved. It is recognised that this procedure might be difficult for both the person raising the complaint and the clergyperson concerned and might well affect other people too. It is right that all involved should feel that complaints are handled fairly, transparently and as quickly as practicable, and that appropriate support is provided wherever possible.

## Mediation

This procedure seeks to provide resolution and reconciliation. Opportunities for complaints or concerns to be addressed through mediated conversations should be taken, if presented, at any point in this process. That could mean, for example, that a separate stage to enable mediation could be agreed by all those involved without needing to proceed further under this procedure.

## Confidentiality

Where concerns have been entrusted to this procedure it is important that all involved appreciate the need for matters to be held confidentially between the parties. It is important that everyone involved can expect that level of privacy and confidentiality. This is to ensure that matters are dealt with fairly and the process is not prejudiced. That means that no person should attempt to discredit something any person has said by other means, and should refrain from making statements, orally, in social media or in any other way to third parties. All written complaints and answers should be confidential to the persons involved in this procedure and should not be shared more widely.

This procedure is in four stages (subject to additional opportunities for a mediation stage):

Stage 1 – Making a complaint

Stage 2 – The Area bishop's acknowledgement and clergyperson's answer

Stage 3 – Referral to an assessor

Stage 4 – Resolution

### **Stage 1 – Making a complaint**

1. A complaint should be sent to the relevant Area bishop. Contact details are set out below.

1.1 The complaint must be in writing and contain the following information:

- The specific **details of the complaint**, including what occurred and when it occurred; or what was not done and when it should have been done, as the case may be. This should be set out in a non-combative manner; and
- Details of what the person making the complaint is seeking by way of **resolution**. This might be an apology from the clergyperson concerned, a meeting with the Area bishop, or some other form of resolution; and
- State that the complaint is being raised in accordance with this complaint procedure.

1.2 The information submitted (which may include your letter of complaint and other documents) should be no more than the equivalent of four sides of A4 paper in total. If the matter proceeds to Stage 3 there will be an opportunity to share more information with an assessor at that point.

1.3 The complaint must be signed, which may include electronic signatures, (no anonymous complaints can be considered under this procedure) and contain a statement of truth in the following form: *"I believe the facts as stated in this complaint are true"*.

1.4 A complaint must not be frivolous or vexatious (i.e. intended only to harass, annoy or frustrate the member of clergy) and must not include any deliberately false or misleading information.

1.5 Everything submitted to the Area bishop will then be shared with the clergyperson concerned.

1.6 At this stage, if the Area bishop considers that there are realistic opportunities for the matter to be addressed through mediation then this could be proposed for agreement in the first instance before proceeding further to Stage 2.

## **Stage 2 – The Area bishop’s acknowledgment and clergy person’s answer**

2. The Area bishop will normally acknowledge receipt within 7 days (and may respond firstly to confirm that you wish to use this complaints procedure; to ask you to include some of the information referred to above which might not have been included; or to conclude that the complaint is vexatious or frivolous under paragraph 1.4 above). The bishop will then supply a copy of the written complaint to the clergy person concerned asking for their written response, within 14 days if possible. Reasonable requests for additional time will be considered.

3. Independent pastoral support will also be offered to the person raising the complaint and to the clergy person concerned, recognising that raising and receiving complaints in this context can be daunting and demanding.

4. Where appropriate, the Area bishop will take relevant advice, including from the diocesan registrar and diocesan safeguarding adviser. If safeguarding and/or criminal matters are raised referral to the appropriate statutory agencies must take place, and, if so or the matter otherwise potentially involves allegations of serious misconduct, the matter might instead be raised under the Clergy Discipline Measure.

5.1 The clergy person’s response must be in writing and include the following information:

- The clergy person’s **answer** to the complaint, setting out what did or did not happen. This should be written in a non-combative manner; and
- If the bishop indicates that it would be helpful, details of how the clergy person believes that the complaint can be **resolved**.

5.2 The information submitted (which may include your letter of response and other documents) should be no more than the equivalent of four sides of A4 paper in total. If the matter proceeds to Stage 3 there will be an opportunity to share more information with an assessor at that point.

5.3 The answer must be signed, which may include electronic signatures, by the clergy person and contain a statement of truth in the following form: *“I believe the facts as stated in this answer are true”*.

5.4 The answer must not make frivolous or vexatious counter complaints and must not include any deliberately false or misleading information.

6.1 The Area bishop will then send a copy of the clergy person’s answer to the person who has raised the complaint and ask that person to confirm within 14 days if the response has provided a resolution to the complaint. Reasonable requests for additional time will be considered.

6.2 If that person is not satisfied with the clergy person’s response and believes their complaint is not resolved, the Area bishop can then give any directions that seem appropriate at that stage for bringing about a resolution. Following the response or subsequently following further direction, and believing the issue is unlikely to be resolved through this Procedure, the Area bishop may decide that there are no further steps to be taken under it. Alternatively, at the request of the person making the complaint, the Area bishop could (but does not have to) decide to refer the matter to an assessor under Stage 3 of this procedure.

6.3 If no reply is received within 14 days, the Area bishop will write to both parties to inform them that no further reply has been received and that no further steps will be taken under this procedure. In accordance with the House of Bishops Policy on Clergy Personnel Files, a record of the complaint, response and Area bishop’s file note are to be held on the clergy person’s file.

6.4 Following resolution or no further action at this stage, the Area bishop will request or offer to meet with the clergy person for a review of the complaint.

### **Stage 3 – Referral to an assessor**

**7.1** Where a decision is made to refer the complaint to an assessor, the Area bishop will within 7 days identify an assessor who does not know the parties and will send the written complaint and response to them.

**7.2** The bishops will maintain a panel of lay and ordained assessors who are selected on account of their established skills and experience in dealing with matters of conflict and/or grievance. Assessors will be drawn from a wide range of backgrounds. The assessor acts independently of the bishop, the person making the complaint and the clergyperson concerned.

**7.3** The assessor will arrange to meet separately with the person making the complaint and the clergyperson concerned on the earliest dates possible. During the meetings each may be accompanied by a supporter should they wish; that person is not there to speak or participate on their behalf. The assessor will be able to seek points of clarification. The assessor may also wish to try and enable each of the parties to see and understand the other person's perspective on the issues in dispute. This could also include a joint meeting if both parties are willing to do so, though this need not be formally facilitated by a professional mediator.

**7.4** The assessor will come to a view as to whether:

- The complaint (or part of it) is, on the balance of probabilities, substantiated or not; or
- The complaint (or part of it) should be dismissed as being frivolous, vexatious, malicious or of no substance; or
- The complaint (or part of it) is capable of resolution and the manner in which any resolution should take place. This might include a face to face meeting between the parties concerned, a meeting with the bishop, or a facilitated conciliation or mediation; or
- The clergyperson concerned should be given a written warning, or advice, or be asked to undertake specific training, or give a particular assurance or undertaking.

**7.5** Within 14 days of the final meeting under paragraph 7.3 the assessor will produce a written report for the Area bishop containing the relevant findings and recommendations. Where further time is needed a clear timeframe will be provided to the parties. Before sending to the Area bishop, the assessor will send a copy of the report with the assessment to the person making the complaint and the clergyperson concerned for them to make suggestions as to its factual accuracy, but not to suggest alternative recommendations.

### **Stage 4 – Resolution**

**8.1** The Area bishop will consider the report and form a view as to the most appropriate course of action to take, normally within 7 days of receiving the assessor's report. The Area bishop is free to depart from the assessor's recommendation, where she or he considers there is a good reason.

**8.2** The Area bishop should write to both parties with a copy of the assessor's report (or such parts of the report as are appropriate to provide in the circumstances) setting out how the complaint is to be resolved, or that it is not upheld. The Area bishop should set out the reasons for the decision in a clear manner to enable both parties to understand how it was reached. Where advice or a warning is given to the clergyperson concerned, this should be recorded in writing and placed on the clergy file in accordance with the House of Bishops Policy on Clergy Personnel Files. The Area bishop may refer the matter back to the assessor for the implementation of the recommendations e.g. a meeting between the parties.

**8.3** At the conclusion of the complaint process, the Area bishop will request or offer to meet with the clergy person for a review of the complaint.

**8.4** If the Area bishop is of the view that the substance is more properly an allegation of misconduct under the Clergy Discipline Measure the person making the complaint should be invited to complete a Form 1a or refer the matter to an archdeacon to bring an allegation of misconduct under the CDM.

**8.5** A record should be kept in a separate bundle within the clergy file of any complaint made under the Procedure. Where a complaint is made, copies of the complaint, the response, the assessor's report (where referred), the bishop's decision and any other significant and pertinent documentation about the case should be kept.

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**Contact details:**

The Bishop of Oxford : The Rt Revd Dr Steven Croft

Email address: [bishopoxon@oxford.anglican.org](mailto:bishopoxon@oxford.anglican.org)

Church House Oxford, Langford Locks, Kidlington, Oxfordshire OX5 1GF

The Bishop of Buckingham : (Vacancy)

Email address:

Sheridan, Grimms Hill, Great Missenden, Buckinghamshire HP16 9BD

The Bishop of Dorchester : The Rt Revd Gavin Collins

Email address: [BishopDorchester@oxford.anglican.org](mailto:BishopDorchester@oxford.anglican.org)

Church House Oxford, Langford Locks, Kidlington, Oxfordshire OX5 1GF

The Bishop of Reading : The Rt Revd Olivia Graham

Email address: [bishopreading@oxford.anglican.org](mailto:bishopreading@oxford.anglican.org)

Bishop's House, Tidmarsh Lane, Reading, Berkshire RG8 8HA

\* During an episcopal area vacancy, complaints to be sent to The Bishop of Oxford