



COMPLAINTS PROCEDURE

1. Policy Statement

1.1 In fulfilling its mission, the Birmingham Diocesan Trust (BDT) upholds high standards of professional and personal conduct. We respect the intrinsic dignity of every person and create relationships of mutual respect with all people regardless of race, gender, religion, sexual orientation, age, ability or beliefs. BDT also commits to be a good steward of the resources entrusted to it, including environmental resources, and to be transparent in, and accountable for its work.

1.2 BDT's Staff Code of Conduct makes explicit commitments that the personal and professional conduct of anyone who carries out work for, or represents BDT, is, and is seen to be, of the highest standards. BDT recognises that sometimes its values and requirements on conduct may not be upheld to the standard expected. If this is the case, BDT wants to be informed and will, where possible, take action to try and put things right and improve its quality and effectiveness. BDT is committed to ensuring the accessibility of its Whistle-blowing Procedures across the breadth of its work.

1.3 BDT welcomes complaints being raised from any individual, group of individuals, or organisation who wants to make it aware of concerns about BDT's workforce (post-holders, paid employees, volunteers or third-party contractors working on its behalf) or activities of an organisation BDT works with, for example, partner organisations who implement its programmes. BDT also welcomes complaints being raised by individuals on behalf of another person, if asked to do so for reasons such as a fear of repercussions, safety concerns or language barriers.

1.4 BDT, its Trustees, employees, volunteers and clergy are committed to:

- Conducting themselves ethically, with honesty and integrity.
- The highest possible standards of openness, probity and accountability.
- Good practice and high standards regardless of their role; and
- Being supportive of each other.

1.5 This policy aims to help parishioners, the public and organisations with whom BDT comes into contact to raise complaints with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way because of any complaint they may have about a Trustee, an employee, or volunteer, member of the clergy or with how BDT operates.

2. Application

2.1 This procedure is intended for complaints made by parishioners, members of the public or organisations with whom BDT, its Trustees, clergy, employees or volunteers come into contact with, in the course of their work.

2.2 This policy is not intended for BDT's clergy, employees or volunteers. These should use the Grievance, Whistleblowing or other relevant policies. Please see the decision tree on BDT's website for other policy options.

2.3 If the complaint relates to a safeguarding issue or the work of the BDT's Safeguarding Team these should be raised under Safeguarding Policy or the Safeguarding Service Complaints Policy and Procedure. These are available via the decision tree on the BDT's website.

3 Receiving the Complaint

3.1 BDT takes any complaints referred to it very seriously.

3.2 Step 1 Informal. In the first instance complaints should, where possible and appropriate, be raised at the local level with for instance the parish priest or the relevant line manager.

3.2.1 Step 2 Formal. If the complaint remains unresolved and relates to the parish clergy, liturgical or other aspects of parish life it should be referred on to the relevant Auxiliary Bishop (see Appendix for further details). If the complaint remains unresolved and relates to non-clerical issues it should be referred to the Human Resources & Communications Director (see Appendix for contact details).

3.2.2 If the complaint relates to an Auxiliary Bishop or the Vicar General it should be referred to the Archbishop (see Appendix for further details). Should the complaint refer to the Human Resources and Communications Director it should be referred to the Chief Operating Officer (see Appendix for further details).

3.2.3 If the complaint relates to the action(s) of an individual Trustee it should be raised in the first instance with the Archbishop, who is the Chair of the Board of Trustees (see Appendix for contact details). Complaints about the Board of Trustees should be directed to the sector regulator, the Charity Commission (see Section 7, paragraph 7.4 for contact details).

3.3 The complaint should be made in writing wherever possible and must be acknowledged within 10 working days. The complainant will receive a formal response within 30 working days from the date of receipt of the complaint.

3.4 If it is not possible to resolve the complaint within the above time limit, the complainant(s) must be informed of this and the reason(s) for it. This communication must also give an indication as to when the complaint can be resolved.

4. Third Party Complaints

4.1 If the complaint relates to a third party (for example an external supplier or provider) it may be referred on to them for investigation.

5. Investigation

5.1 The Human Resources and Communications Director or the relevant Auxiliary Bishop will act as the investigation manager and may subsequently appoint an investigating officer, who will undertake the complaint investigation.

5.2 The investigation may involve interviewing the complainant(s), the post-holder(s), employee(s) etc. involved in the complaint or obtaining written statements from them.

5.3 It may be necessary to refer the issue on to a third party for investigation.

5.4 If the complaint is related to the Chief Operating Officer, the Human Resources and Communications Director will inform the Chair of the Workforce and Remuneration Sub-committee of this before commencing any investigation.

6. Action

6.1 Following the investigation, the investigating manager may recommend action is taken under the relevant policy.

6.2 The complainant must be informed of the outcome of the investigation and notified of their right of appeal.

7. Appeal Process

7.1 The complainant has ten (10) (working) days from notification of the outcome in which to lodge an appeal. In lodging an appeal, the complainant should provide the reason(s) why they consider the investigation outcome to be unsatisfactory.

7.2 There are two stages to the appeal process:

7.2.1 Stage 1: The case will be reviewed by the Vicar General if the complaint relates to parish clergy, liturgical or other aspects of parish life. The Chief Operating Officer will review all other issues.

7.2.2 If the complaint relates to the Vicar General, the Archbishop will nominate another senior cleric with no previous involvement in the process to review the case.

7.2.3 If the complaint relates to the Chief Operating Officer, the Chair of Remuneration and Workforce Committee will nominate the Chair of another sub-committee with no previous involvement in the process to review the case.

7.2.4 The complainant will be informed of the outcome of the appeal within 30 days wherever possible. If it is not possible to respond within this time, the complainant will be informed as to the reasons why and given a revised time for stage 1 of the appeal process to be completed.

7.2.5 If the complainant remains dissatisfied with the outcome from Stage 1, they have 10 days from the date of notification of the outcome from Stage 1 in which to lodge an appeal, stating the reasons why they consider the outcome to be unsatisfactory.

7.2.6 - Stage 2: If the complainant remains dissatisfied with the outcome from Stage 1 it will be referred to a panel of two Trustees and one senior officer, who have had no previous involvement for a final review.

7.2.7 The complainant will be informed of the outcome of the Stage 2 appeal within 30 days wherever possible. If it is not possible to respond within this time, the complainant will be informed as to the reasons why and given a revised time for Stage 2 of the appeal process to be completed.

7.3 There are no further internal stages after Stage 2.

7.4 If the complainant remains dissatisfied, they can raise their complaint with the Charity Commission at this or any stage. However, the Charity Commission requires complaints to be made to BDT in the first instance, or for there to be a reason why this could not be done. Information about the kind of complaints that the Commission can involve itself in can be found on their website – see link below:

www.gov.uk/government/organisations/charity-commission

8. Retention of Investigation Reports

8.1 A record of the complaint, the investigation and the outcome will be retained, in accordance with the BDT's General Data Protection Regulations procedure for a period of 52 (calendar) weeks from the date of conformation of final outcome.

VERSION CONTROL			
Primary Location	Policy title	Version No.	Next Review date
Website	Complaints Procedure	1	June 2024
Policy owner(s)		Human Resources & Communications Director and the Vicar General	
Related Policies		Whistleblowing, Safeguarding Service Complaints, Performance and Capability, Grievance, and Disciplinary	
Stakeholder		All Trustees, clergy, employees and volunteers within the Archdiocese of Birmingham (BDT)	
VERSION HISTORY			
Version No.	Date	Created/amended by (Name & job title)	Amendment
1	June 2019	Human Resources & Communications Director	New policy
2	May 2021	Human Resources & Communications Director	Revisions and inclusion of an impact assessment statement.

APPENDIX: CONTACT DETAILS

1. Auxiliary Bishops

For parishes in north of the Archdiocese:

Bishop Stephen Wright. Email: stephen.wright@rcaob.org.uk

For central parishes:

Bishop David Evans. Email: david.evans@rcaob.org.uk

For parishes in the south of the Archdiocese:

Bishop William Kenney. Email: william.kenney@rcaob.org

Please see the map on the Archdiocese's website for boundaries.

2. Human Resources & Communications Director

Gerry Dryden. Email: gerry.dryden@rcaob.org.uk

3. The Chief Operating Officer

Eric Kirwan. Email: eric.kirwan@rcaob.org.uk

4. The Archbishop of Birmingham

The Most Reverend Bernard Longley. Email: archbisop@rcaob.org.uk

IMPACT ASSESSMENT STATEMENT

Name and job title of assessor	Gerry Dryden, Human Resources & Communications Director	Assessment Date	May 2021
Policy		Complaints	
	Yes or No	Comments	
Does the policy or procedure affect one group more or less favourably than another on the basis of:			
<ul style="list-style-type: none"> Race or ethnic ground? 	No		
<ul style="list-style-type: none"> Gender, including transgender? 	Yes	BDT is a faith-based charity; therefore, it complies with the tenants of the Roman Catholic faith.	
<ul style="list-style-type: none"> Disability (this includes consideration in terms of impact to individuals with learning disabilities, autism or no those who may have a cognitive impairment or lack capacity to make decisions, for example about their care). 	No		
<ul style="list-style-type: none"> Religion or belief 	Yes	BDT is a faith-based charity; therefore, it complies with the tenants of the Roman Catholic faith.	
<ul style="list-style-type: none"> Sexual orientation 	Yes	BDT is a faith-based charity; therefore, it complies with the tenants of the Roman Catholic faith.	
<ul style="list-style-type: none"> Age 	No		
Would the public have a perception/concern about this policy or procedure regarding the potential for discrimination?	Yes	See comments re.: <ul style="list-style-type: none"> Gender, including transgender Religion or belief and Sexual orientation 	