



**NEWCASTLE  
CATHEDRAL**

## **1. Complaints Policy**

Newcastle Cathedral views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or the organisation that has made the complaint. Whilst this policy applies to complaints, Newcastle Cathedral is always delighted to receive compliments as well, a further opportunity to improve what we do.

### **Our Policy is:**

- To provide a fair complaints procedure which is clear and easy to use;
- To publicise the complaints procedure on our website so people know how to contact us to make a complaint ([www.newcastlecathedral.org.uk](http://www.newcastlecathedral.org.uk));
- To treat all complaints seriously;
- To treat all complainants with courtesy and respect;
- To make sure all complaints are investigated fairly and in a timely way;
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired and reconciliation explored;
- To gather information which helps us to improve what we do;
- To publish information in the Cathedral Safeguarding annual report on the numbers of safeguarding complaints received, the categories of complaints and the percentage of complaints upheld.

### **Scope of the Policy**

This policy may be used by any member of the public, volunteer, or user of the Cathedral's facilities. It does not apply to employees, office holders, workers, or self-employed contractors providing services to the Cathedral, who should use the Grievance Procedures appropriate to their role, the Cathedral Whistle-blowing policy or through direct recourse to the Public Interest Disclosure Act<sup>1</sup> whichever is most suitable.

### **Definition of a Complaint**

A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of the Cathedral, its operations, mission and ministry.

### **Where Complaints Come From**

Complaints may come from any person or organisation who has a legitimate interest in Newcastle Cathedral.

A complaint can be received verbally, by phone, by email or in writing.

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<sup>1</sup> Accessible at, <https://www.gov.uk/government/publications/the-public-interest-disclosure-act/the-public-interest-disclosure-act>

### ***This policy does not cover:***

- Safeguarding allegations which should be referred directly to, either:<sup>2</sup>
  - the Cathedral Safeguarding Adviser - The Rev'd Canon Peter Dobson;
  - the Deputy Cathedral Safeguarding Adviser - Gill Lawrence;
  - or, the Diocesan Safeguarding Adviser – Carol Butler.
- Issues that relate to the outcome of criminal or civil proceedings or that are currently going through these proceedings.
- Disagreement with a decision relating to an independent assessment or an external review.
- Complaints about access to information where procedures and remedies are set out in legislation.
- Anonymous complaints or complaints about matters which have already been fully investigated will not be covered by this policy and procedure.
- Complaints from persistent and/or vexatious complainants.  
*(These are becoming an increasing problem for many public and third sector organisations. The difficulties in handling such complaints can place a considerable strain on time, resources and staff. Please see the 'Appendix 1' for guidance on how to identify and respond to persistent and/or vexatious complainants.)*

### **Confidentiality**

All complaint information will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

### **Responsibility**

Overall responsibility for this policy and its implementation lies with the Dean and Chapter of the Cathedral.

### **Review**

This policy will be reviewed annually or as changes in legislation dictate.

## **2. Complaints Procedure**

Complaints can be made by e-mail or post.

Written complaints should be sent to:<sup>3</sup>

The Director of Operations  
Newcastle Cathedral,  
42-44 Mosley Street,  
Newcastle-upon Tyne,  
NE1 1DF

Emails should be sent to:<sup>3</sup>

[Kate.Sussams@newcastlecathedral.org.uk](mailto:Kate.Sussams@newcastlecathedral.org.uk)

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<sup>2</sup> Although this policy does not cover safeguarding allegations, it is important to note that it does apply to complaints regarding how safeguarding allegations have been dealt with.

<sup>3</sup> Where the complaint relates to the Director of Operations, the complainant should write to the Dean.

## **Informal Resolution**

Usually it is better to deal with any concerns and complaints straight away. If you have a concern, raise it with the person involved at the time. He or she will try to resolve it for you there and then. If there are any lessons to learn from addressing your concern then the member of staff will draw them to our attention. If the member of staff cannot help, they will explain why and you can then ask for a formal investigation.

## **Receiving Complaints**

Complaints may arrive through channels publicised for that purpose or through any other contact details or opportunities the complainant may have. Complaints received by telephone or in person need to be recorded on a complaints form.

The person who receives a phone or in person complaint should:

- Write down the facts of the complaint.
- Take the complainant's name, address and telephone number.
- Note down the relationship of the complainant to the Cathedral.
- Tell the complainant that we have a complaints procedure.
- Tell the complainant what will happen next and how long it will take.
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.

## **Resolving Complaints**

We have a 2-stage complaints procedure. At each stage it will help us to resolve a complaint quickly if the complainant can give us as much detail as possible, including any documents and correspondence and stating why the complaint is being made.

All complaints will be logged and recorded by the member of staff receiving the complaint and personal information handled and stored in accordance with the Data Protection Act 2018.

### **Stage One**

As acknowledged above, in many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate.

Whether or not the complaint has been resolved, the complaint information should be passed to the Director of Operations within 4 working days.

On receiving the complaint, the Director of Operations will make a full record of it. If it has not already been resolved, they will delegate an appropriate person to investigate it and to take appropriate action, at this stage the investigating officer, where at all possible, should not be the Dean or a member of the Cathedral Chapter. Depending on the nature of the complaint, the Director of Operations may feel the complaint should be addressed from the outset at Stage Two (*see below*).

If the complaint relates to a specific person, they should be informed and given a fair opportunity to respond.

Complaints should be acknowledged by the person handling the complaint within ten working days of the complaint being made. The acknowledgement should say who is

dealing with the complaint and when the person complaining can expect a reply. A copy of this complaints procedure should be attached.

Ideally complainants should receive a definitive reply within twenty working days of the complaint being acknowledged. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is justified or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken because of the complaint.

## **Stage Two**

If the complainant feels that the problem *has not been satisfactorily resolved* at Stage One, they can request that the complaint is reviewed by the Chapter. At this stage, the complaint will be passed to the Dean.

The request for a Chapter level review should be acknowledged within seven working days of receiving the request. The acknowledgement should say who will deal with the case and when the complainant can expect a reply.

The Dean may investigate the facts of the case themselves or delegate a suitable member of Chapter to do so. This may involve reviewing the paperwork of the case and speaking with the person who dealt with the complaint at Stage One.

If the complaint relates to a specific person, they should be informed and given a further opportunity to respond.

Where there has been a Stage One investigation, the person who dealt with this original complaint should be kept informed of what is happening.

Ideally complainants should receive a definitive reply within twenty working days of the Stage Two complaint being acknowledged. If this is not possible because for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

The decision taken at this stage is final, unless the Chapter decides it is appropriate to seek external assistance with resolution.

## **Variation of the Complaints Procedure**

The Dean and Chapter may vary the procedure for good reason. This may be necessary to avoid a conflict of interest, for instance, if a complaint is made involving the Director of Operations, the Dean or other member of Chapter.

## **Remedies**

When our actions or service has been unsatisfactory we will act to:

- Accept responsibility;
- Explain what happened and why;
- Seek to repair relationships and explore reconciliation;
- Rectify what has been deemed unsatisfactory by making the changes required.

The action we take in response to a complaint can include any combination of the remedies set out in the list below. The general principle we follow is that a complainant should, so far as possible, be put in a position he or she would have been, had they not had a reason to complain.

The remedy chosen needs to be proportionate and appropriate to the shortcomings, and take into account what people are looking for when they complain.

## **Monitoring and Learning from Complaints**

We will log all complaints we receive so that we can monitor the types of problems, the best way to sort them out and how long we take to deal with them. This also helps us to take a closer look at how we can improve our operations, mission and ministry.

We will handle and store personal information in accordance with the Data Protection Act 2018.

## **Review**

These procedures will be reviewed annually or as changes in legislation dictate.

Policy and Procedure Approval date: June 2020  
Policy and Procedure Review date: June 2021

# **Appendix 1 - Persistent and Vexatious Complaints**

## **Definition of Unreasonably Persistent and Vexatious Complaints**

The descriptions 'unreasonably persistent' and 'vexatious' may apply separately or jointly to a particular complainant.

There is a difference between 'unreasonably persistent' and 'vexatious' complainants.

A vexatious person in this context is someone who is not seeking to resolve a dispute between themselves and the Cathedral but is seeking to cause unnecessary aggravation or annoyance to the Cathedral.

Unreasonably persistent or vexatious complainants may have justified complaints or grievances but are pursuing them in inappropriate ways. Alternatively, they may be intent on pursuing complaints which appear to have no substance, or which have already been investigated and settled. Demands on staff time need to be assessed appropriately - on occasion, a little more time up front to understand the issue may lead to less time being spent on the issue in total.

## **Actions and Behaviours**

Below are some of the actions and behaviours of unreasonably persistent and vexatious complainants which the Dean and Chapter may experience. One or more of these would raise concerns that the complainant is becoming unreasonably persistent or vexatious. This list is not exhaustive:

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from staff;
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved. This could involve refusing to specify an outcome, not responding in a timely manner to requests, refusing to meet etc;
- An insistence on only dealing with senior staff on all occasions irrespective of the issue and the level of delegation from the Dean and Chapter to deal with such matters;
- Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope;
- Refusing to accept that issues are not within the power of the Dean and Chapter to investigate, change or influence (examples could be something that is the responsibility of another Church body or external organisation);
- Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking them replaced;
- Changing the basis of a complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage;
- Introducing trivial or irrelevant new information which the complainant expects to be considered and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered;
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved;

- Persistently approaching the Cathedral through different routes about the same issue;
- Adopting a 'scattergun' approach; pursuing a complaint(s) with the Cathedral and at the same time with other church bodies and office holders, Solicitors, Professional Boards, external organisations including the media.
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being looked into, by for example excessive telephoning or sending emails to numerous staff, writing lengthy complex letters every few days and expecting immediate responses;
- Submitting repeat complaints after the complaints process has been completed, essentially about the same issues, with additions/variations which the complainant insists make these 'new' complaints which should be put through the full complaints procedure;
- Harassing and/or verbally abusing or otherwise seeking to intimidate staff dealing with their complaint, in relation to their complaint by using foul or inappropriate language or by the use of offensive and racist language.
- Refusing to accept the decision - repeatedly arguing the point and complaining about the decision.

## **Taking Action**

The precise nature of the action should be appropriate and proportionate to the nature and frequency of the complainant's contacts with the Cathedral at that time.

The following is a list of possible options:

- Placing time limits on telephone conversations and personal contacts;
- Restricting the number of telephone calls that will be taken (for example, one call on one specified morning/afternoon of any week);
- Limiting the complainant to one medium of contact (telephone, letter, email etc.) and/or requiring the complainant to communicate only with one named member of staff;
- Requiring any personal contacts to take place in the presence of a witness;
- Refusing to register and process further complaints about the same matter;
- Banning a complainant from the Cathedral premises;
- Where a decision on the complaint has been made, informing the complainant that future correspondence will be read and placed on the file but not acknowledged. A designated officer should be identified who will read future correspondence;
- Where a complaint is closed, and the complainant persists in communicating about the same issue, it may be decided to terminate contact with that complainant.

These options are not exhaustive and there may be other factors that will be relevant in deciding what might be appropriate action. For instance, any arrangements for limiting a complainant's contact must take account of the complainant's individual circumstances, bearing in mind such issues as age, disability, gender, race and religion or belief.

## **The Decision and Imposing Restrictions**

Before making the decision about what action is appropriate to take the Dean and Chapter will ensure that the complaint is being, or has been, dealt with properly according to the Cathedral Complaints Handling procedure for safeguarding staff.

The Dean and Chapter will consult with the Diocesan Safeguarding Adviser, and may take Human Resources or legal advice, if required, to agree that the complainant is unreasonable persistent and/or vexatious, identify the manifest actions and behaviours and agree a proportionate response. This could be:

- A warning letter, asking the complainant to change their behaviour and explaining the actions that the Cathedral may take if the behaviour does not change.
- A letter explaining that the behaviour is not acceptable and what actions will be taken.
- If the behaviour continues then a final letter to the complainant advising them that future contact will be restricted and for what period. In most cases restrictions will apply for 6 months but in exceptional cases may be extended.

In some cases, actions and behaviours arise during complaints processes mean that there is little prospect of achieving a satisfactory outcome. In these circumstances, there is often little purpose in following through all stages of the Complaints Handling Procedure. Where this occurs, the complainant should be informed that the Dean and Chapter cannot assist further.

In making this decision the Dean and Chapter should follow the principles that would be applied by an Independent Ombudsman. That is that it can evidence that its policy has been operated properly and fairly and applied the test of reasonableness to the Cathedral's response, as would be deemed good practice in the public and third sector.

**Where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, the Dean and Chapter will consider other options, for example reporting the matter to the police or taking legal action. In such cases, the Dean and Chapter may not give the complainant prior warning of that action.**