



**NEWCASTLE
CATHEDRAL**

Complaints Policy

1. Purpose of this policy

1.1 The highest standards of conduct and behaviour are expected from all Chapter members, office-holders, staff, workers, volunteers and members of any cathedral committees. We know there may be times when we do not meet our own high standards. Should this happen we want to hear about it, deal with the situation as quickly as possible and put measures in place to assure it does not happen again.

1.2 The Chapter 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 making the complaint.

1.3 Whilst this policy applies to complaints, Newcastle Cathedral is always delighted to receive compliments as well, a further opportunity to improve what we do.

2. Making this policy available

This policy is advertised on the 'Governance and Policy' and 'Safeguarding' pages of the cathedral's website, in order that members of the public may be able to find it easily, should they wish to make a complaint. Hard copies of this policy are available in the Cathedral Vestry and from the office at Cathedral House.

3. What is a complaint for the purpose of this policy?

A complaint is an expression of dissatisfaction about any aspect of the cathedral's life, its operations, mission and ministry, or about an action or lack of action, by the staff, clergy, workers, Chapter members, members of committees, office-holders, contractors or volunteers that require a formal response.

4. What complaints are not included in this policy?

4.1 This policy *does not* cover, or relate to:

- a. Complaints from staff, who should refer to the relevant processes in the staff handbook;
- b. Safeguarding allegations, which should be referred directly to, either:¹
 - the Cathedral Safeguarding Adviser - The Rev'd Canon Peter Dobson;
 - the Deputy Cathedral Safeguarding Adviser - Gill Lawrence;
 - or, the Diocesan Safeguarding Adviser – Carol Butler.
- c. Issues that relate to the outcome of criminal or civil proceedings, or that are currently going through these proceedings.
- d. Disagreement with a decision relating to an independent assessment or an external review.
- e. Complaints about access to information where procedures and remedies are set out in legislation.
- f. Complaints about matters which have already been fully investigated.
- g. Complaints from persistent and/or vexatious complainants
(*Guidance on responding to persistent and/or vexatious complainants can be found at Appendix 1*).

¹ 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.

5. The commitment of the Chapter

The Chapter is committed to:

- Providing a fair complaints procedure which is clear and easy to use;
- Treating all complaints seriously;
- Treating all complainants with courtesy and respect;
- Making sure all complaints are investigated fairly and in a timely way;
- Making sure that complaints are, wherever possible, resolved and that relationships are repaired and reconciliation is explored;
- Gathering information which helps us to improve the cathedral's operations, mission and ministry;
- Publishing information in the Cathedral Safeguarding annual report on the numbers of safeguarding complaints received, the categories of complaints and the percentage of complaints upheld.

6. The informal resolution of complaints

Often, it can be 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, as id detailed below.

7. How to make a complaint?

5.1 You can contact us in whichever way is most convenient to you and we will respond to you via the same method unless instructed otherwise.

5.2 *Written complaints* should be sent by e-mail or post to:

The Chief Operating Officer
Newcastle Cathedral,
42-44 Mosley Street,
Newcastle-upon Tyne,
NE1 1DF

kate.sussams@newcastlecathedral.org.uk

5.3 Should your complaint relate to the Chief Operating Officer, then the complaint should be directed in writing to the Dean at the above postal address or by email at: dean@newcastlecathedral.org.uk

5.4 Please include your name, address and contact telephone number in your email or letter so that we can get back in touch with you easily. The cathedral cannot respond to complaints made anonymously, but we will investigate anonymous complaints and use the information provided to improve in any way we can.

5.5 Where a complaint is incoherent or illegible a staff member will contact the complainant, where possible, to request that the complaint be provided in a legible format or to clarify the complaint. Where a legible or coherent version of the complaint is not provided, the complaint will not be able to be progressed.

5.6 *Verbal complaints* may be made by telephone on [0191 2321939](tel:01912321939), or in person to any of the cathedral staff.

5.7 Complaints received by telephone or in person must be recorded in writing. The person who receives a phone or in person complaint should:

- a. Write down the facts of the complaint;
- b. Take the complainant's name, address and telephone number;
- c. Note down the relationship of the complainant to the cathedral;
- d. Tell the complainant that the cathedral has a complaints policy and either direct them to it, or give them a copy;

- e. Explain to the complainant what will happen next and how long it will take (see 8. and Appendix 2); and
- f. Where appropriate, ask the complainant to send in a written account by post or by email so that the complaint is recorded in the complainant's own words.

8. How will my complaint be received, progressed and resolved?

8.1 The complaints procedure has two stages. 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.

8.2 All complaints will be handled with sensitivity. Complaints will be logged and recorded, and personal information handled and stored, in accordance with the Data Protection Act 2018.

8.3 The Dean and Chapter may vary the procedure for good reason. Where a complaint involves a safeguarding concern, the procedure may have to be varied in order to respond promptly to the concern, take and respond to safeguarding advice, and to act in order to make the Cathedral a safer place. Variation in the complaints procedure may also be necessary to avoid a conflict of interest, for instance, if a complaint is made involving the Chief Operating Officer, the Dean or other member of Chapter.

8.3 STAGE ONE

8.3.1 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.

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

8.3.3 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).

8.3.3 If the complaint relates to a specific person, they should be informed that a complaint has been made by the investigating officer, and then given a fair opportunity to respond. Respondents to complaints will be informed of the nature of any complaint at, and not before or outside of, the initial investigation meeting.

8.3.4 The Complaint should be acknowledged by the investigating officer 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 policy should be attached.

8.3.5 Ideally complainants should receive a definitive written 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.

8.3.6 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.

8.4 STAGE TWO

8.4.1 *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 by the Director of Operations.

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

8.4.3 The request for a Stage Two review should be acknowledged by the Dean (or appointed member of Chapter) within seven working days of receiving the request. The acknowledgement should inform the complainant who will deal with the case and when the complainant can expect a reply.

8.4.4 If the complaint relates to a specific person, they should be informed and given a (further) opportunity to respond. This opportunity will be given at, and not before or outside of, an investigation meeting with the Dean (or appointed member of Chapter).

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

8.4.6 Ideally complainants should receive a definitive written 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.

8.4.7 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.

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

9. How will a complaint that has been upheld be remedied?

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

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

9.2 When remedying a complaint the general principle the Chapter 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.

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

10. What if you remain happy with how your complaint has been investigated or handled by the cathedral following a Stage Two Review?

10.1 We hope we are able to resolve your complaint in an honest, open and satisfactory way. However, if you are still unhappy then you can write, either by letter or email, to either of our regulators:

- a. The Church Commissioners at: cathedralregulation@churchofengland.org
Please name the cathedral, outline the details of the complaint and explain why you have not been satisfied with our response.

b. The Charity Commission at:
The Charity Commission
PO Box 211
Bootle
L20 7YX

<https://www.gov.uk/government/organisations/charity-commission>

10.2 Before you write to the Charity Commission, you should check your complaint is one which the Charity Commission will look into². As stated in the Charity Commission's guidance on complaints about charities, its involvement in relation to complaints about a charity is limited to issues that pose a serious risk of significant harm to that charity's beneficiaries, assets, services or reputation.

11. Monitoring and learning from complaints

11.1 The Senior Management Team should regularly review the complaints received by the cathedral and their outcomes, to identify any trends or wider learning.

11.2 The Chief Operating Officer should report to the Chapter at each meeting after any complaints have been received on the number and nature of any complaints received and the outcome of those complaints, including whether they have led to a change in services, policies or procedures. If a complaint raises serious concerns, the Chief Operating Officer should bring it to the Chapter's attention (or to the Dean and/or the Senior Non-Executive Member's attention, as appropriate) without delay.

11.3 The Chief Operating Officer must keep a secure record of the complaints received, the report of the Investigating Officer setting out the reasons for their decisions and copies of any written decisions sent to complainants.

12. Records of your complaint

We will retain a record of every complaint for 6 years after the last contact with the relevant complainant. We will then destroy all records of the complaint securely. You can read more about how we look after your records and your rights as a data subject in our Privacy Notice, which is available on the cathedral website.³

13. Responsibility for this policy

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

14. Policy review

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

Policy and Procedure Approval date: 7th June 2023

Policy and Procedure Review date: June 2024

² <https://www.gov.uk/government/publications/complaints-about-charities/complaints-about-charities>

³ <https://newcastlecathedral.org.uk/governance-and-policy/>

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 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 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 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 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.

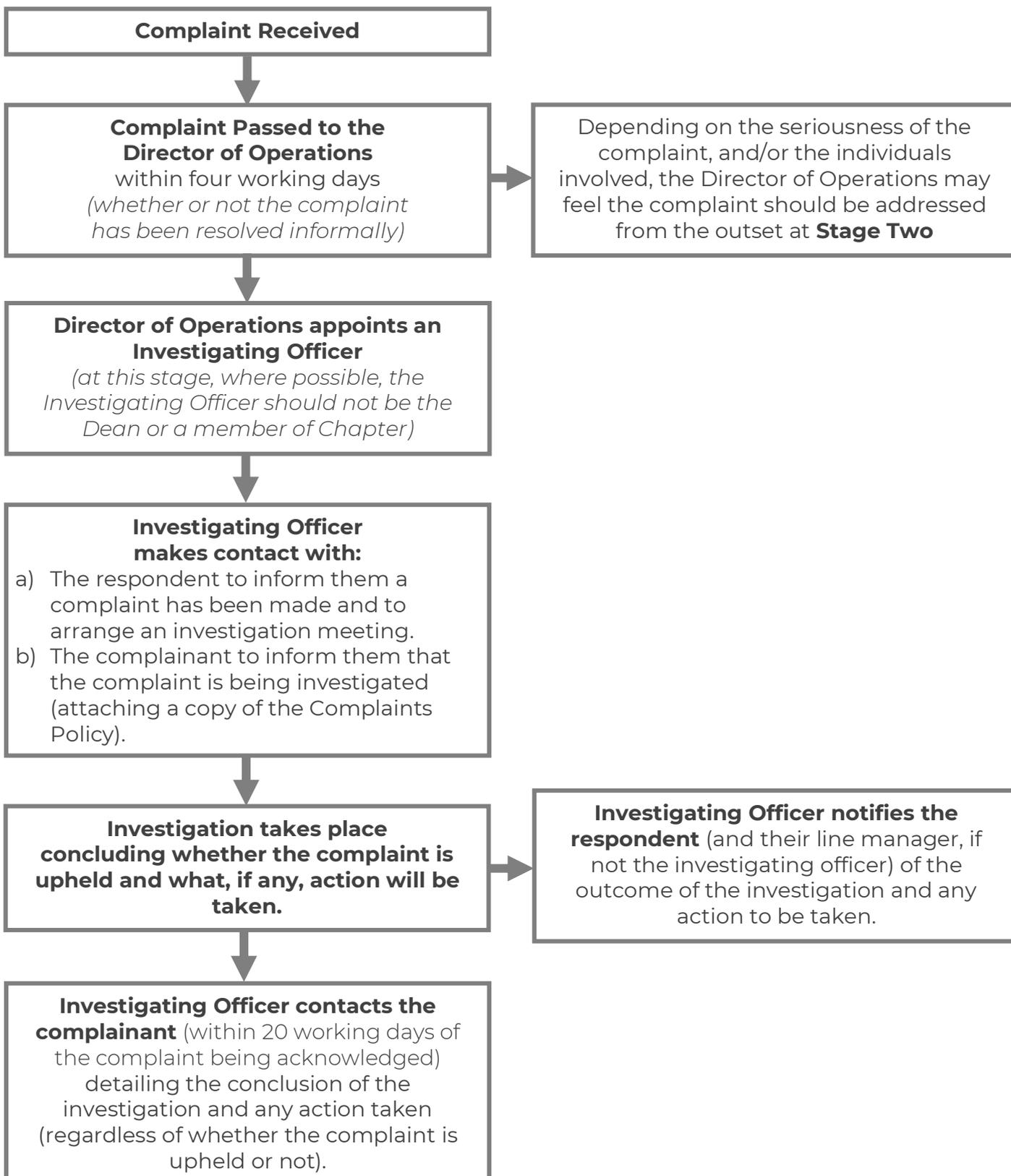
In some cases, actions and behaviours arise during complaints processes mean that there is little prospect of achieving a satisfactory outcome. In these circumstances, there is often little purpose in following through all stages of the Complaints Handling Procedure. Where this occurs, the complainant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

In making this decision the 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 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.

Appendix 2 – Complaints Procedure Flow-Chart⁴

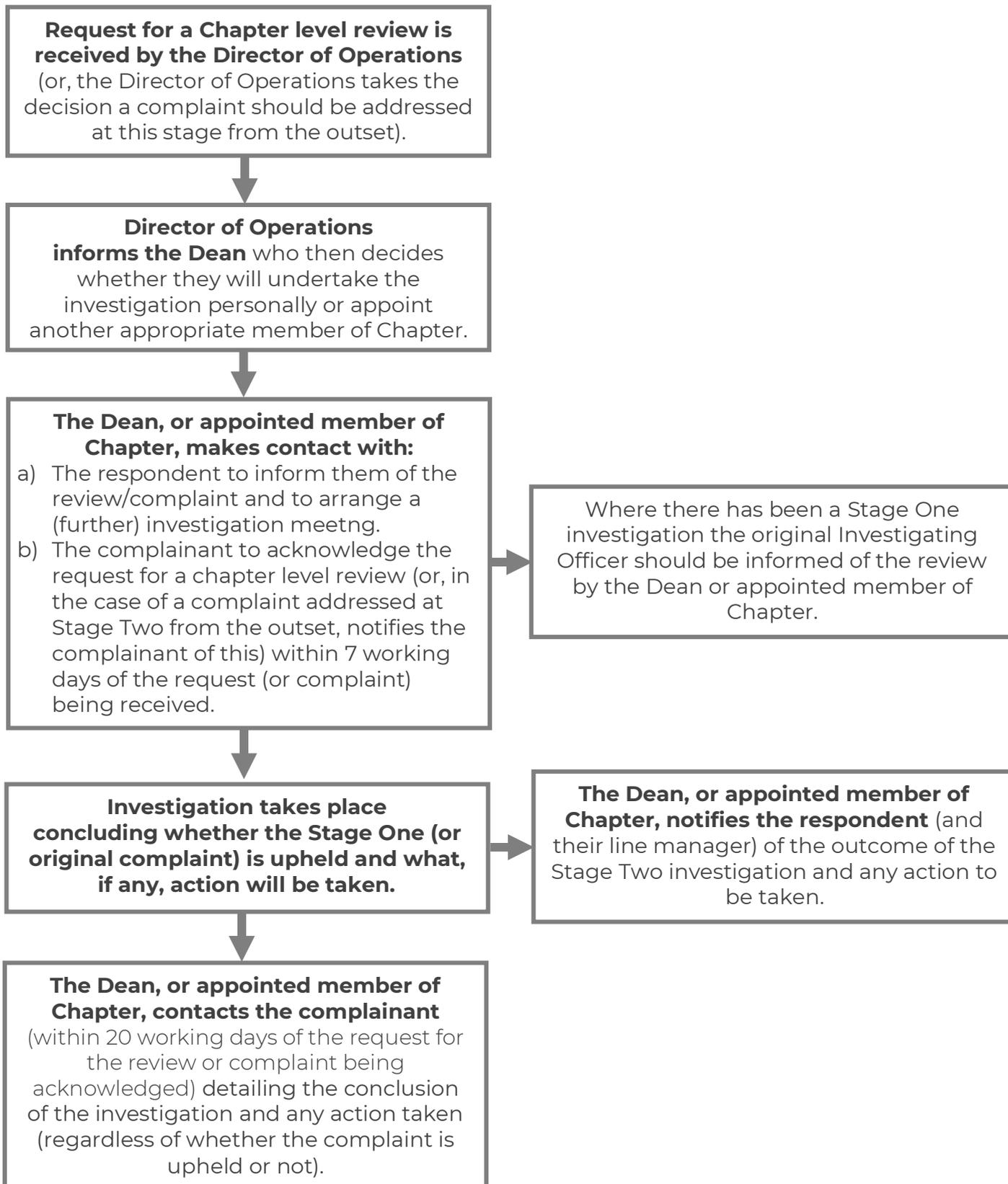
Stage One



⁴ The Dean and Chapter may vary the procedure for good reason. Where a complaint involves a safeguarding concern, the procedure may have to be varied in order to respond promptly to the concern, take and respond to advice, and to act in order to make the Cathedral a safer place. Variation in the complaints procedure may also 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.

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