

# SCOTTISH EPISCOPAL CHURCH

## COMPLAINTS PROCEDURE

The Scottish Episcopal Church recognises that a person with a complaint or grievance must be listened to, and their complaint should be properly and fairly considered and addressed appropriately and confidentially.

### **Complaints concerning issues of Safeguarding**

***If you have information about a safeguarding situation where a child or adult is in immediate danger or requires immediate medical attention call the emergency services on 999. Do not delay.***

Also, any complaint concerning a safeguarding matter, whether or not referred to the emergency services as mentioned above, should be referred immediately to the Provincial Safeguarding Officer on [protection@scotland.anglican.org](mailto:protection@scotland.anglican.org) (tel – 0131-225-6357 or 07702-793553) who will advise on future process.

### **Complaints concerning issues other than safeguarding**

The Church has different procedures for handling complaints, depending upon the nature of the complaint and the role of the person about whom the complaint is made.

Complaints may be made by a person directly and personally affected by the matter about which the complaint is made. They should be made promptly following the incident or circumstances giving rise to the complaint. Unless there is good reason not to have acted sooner, a complaint should normally be made within one month of the incident or circumstances in question. Complaints cannot be made about decisions or actions that have been taken as part of or as a result of following legal or canonical processes or protocols, due process and any appeal processes. A matter which is the subject of a separate grievance procedure or canonical process falls to be dealt with under such procedure or process and cannot be separately processed under a complaints procedure.

A high standard of integrity and service is expected of our bishops, clergy, laity and staff in the Church. Normally, that standard is met but, occasionally, individuals may fall short of what is expected. As a general principle, where the complaint is a minor matter, you are encouraged to share your concerns with the bishop, clergy or lay person involved to seek a mutual resolution. However, it is recognised that that may not always resolve the matter and that further process is required.

Guidelines for the Professional Conduct of the Clergy were adopted by the General Synod in 2005 and are available at: <https://www.scotland.anglican.org/vestry-resources/appointments-and-employment/professional-conduct-of-clergy/>

A Code of Conduct for Conveners and Members of Boards and Committees of the General Synod was adopted in 2015 (revised 2018) and is available at:

<https://www.scotland.anglican.org/wp-content/uploads/Code-of-Conduct-for-Boards-and-Committee-members-2018.pdf>

What follows below sets out general guidance relating to various categories of individual. It is not an exhaustive list and an individual with a complaint may wish to raise the matter with the charity trustees responsible for the particular charitable body in relation to which the complaint arises (such as vestry in the case of a local congregation or the provincial Standing Committee in the case of the General Synod).

### **Complaints against clergy (other than a diocesan bishop)**

Where your complaint is about a member of clergy, there are different ways to respond: –

1. When it is a minor matter, you are encouraged to share your concerns with the clergy person in question and seek a mutual resolution.
2. When that is insufficient or if the nature of the complaint makes that inadvisable, contact should be made with the Diocesan Bishop, who will arrange for the complaint to be taken up with the clergy person concerned so that the matter can be dealt with and rectified. Any notification of a complaint must be made in writing and include your name and contact details, clear details of the complaint, together with any supporting evidence, and a description of steps taken, if any, to resolve the issue before raising it with the Bishop.
3. Only when the problem is more serious and may amount to clergy misconduct warranting disciplinary action, will the provisions of the clergy discipline canon, Canon 54, apply, in which case a formal accusation may be lodged with the Secretary to the Preliminary Proceedings Committee, whose contact details are available from the Secretary General, General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE.

Guidelines for the Professional Conduct of the Clergy are available at:

<https://www.scotland.anglican.org/vestry-resources/appointments-and-employment/professional-conduct-of-clergy/>

### **Complaints against a Diocesan Bishop**

Where your complaint is about a bishop, there are different ways to respond: –

1. When it is a minor matter, you are encouraged to share your concerns with the Bishop in question and seek a mutual resolution.
2. When that is insufficient or if the nature of the complaint makes that inadvisable, contact should be made with the Primus, who is chair of the College of Bishops, (or if the complaint concerns the Primus, with the Senior Bishop), who will arrange for the complaint to be taken up with the bishop concerned so that the matter can be dealt with and rectified. The Senior Bishop is the bishop, other than the Primus, who has served longest as a diocesan bishop in the Scottish Episcopal Church. The Primus (or Senior Bishop) may appoint an appropriate individual to act on their behalf in

processing any such complaint. Any notification of a complaint must be made in writing and include your name and contact details, clear details of the complaint, together with any supporting evidence, and a description of steps taken, if any, to resolve the issue before raising it with the Primus or Senior Bishop.

3. If the complaint constitutes a grievance, a separate Grievance Procedure under Canon 53.10 and Appendix 29 to the Code of Canons is available to clergy, in which case that procedure should be followed.
4. Only when the problem is more serious and may amount to clergy misconduct warranting disciplinary action, will the provisions of the clergy discipline canon, Canon 54, apply, in which case a formal accusation may be lodged with the Secretary to the Preliminary Proceedings Committee, whose contact details are available from the Secretary General, General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE.

Guidelines for the Professional Conduct of the Clergy are available at: <https://www.scotland.anglican.org/vestry-resources/appointments-and-employment/professional-conduct-of-clergy/>

### **Complaints against a lay person in the context of a Congregation**

Where your complaint is about a lay person in a congregational context, there are different ways to respond: –

1. When it is a minor matter, you are encouraged to share your concerns with the individual concerned and seek a mutual resolution.
2. When that is insufficient, or if the nature of the complaint makes that inadvisable, you should contact your Rector or Priest-in-Charge, so that the matter can be dealt with and rectified.
3. When that is insufficient, you should consider with your Rector or Priest-in-Charge, whether you or they should raise the matter with the Diocesan Bishop. Any notification of such a complaint to the Diocesan Bishop must be made in writing and include your name and contact details, clear details of the complaint, together with any supporting evidence, and a description of steps taken, if any, to resolve the issue before raising it with the Diocesan Bishop.
4. The means of resolving a complaint affecting a lay member of the church are limited but, after due consideration, the Bishop may recommend some form of mediation, may issue a letter of warning or reprimand to the individual in question or may, in the case of a complaint against a congregational officer or vestry member, invite the matter to be considered by the vestry, which may have powers in appropriate circumstances to remove an individual from their office or vestry position.

### **Complaints against a member of a diocesan or provincial board or committee**

Where your complaint is about a member of a diocesan or provincial board or committee, there are different ways to respond: –

1. When it is a minor matter, you are encouraged to share your concerns with the individual in question and seek a mutual resolution.

2. When that is insufficient, or the nature of the complaint makes that inadvisable, you should contact the Diocesan Secretary at the appropriate Diocesan Office in the case of a complaint against a diocesan board or committee member, or the Secretary General at the General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE in the case of a complaint against a provincial board or committee member. The Diocesan Secretary or the Secretary General, as appropriate, will endeavour to resolve the matter. If it cannot be resolved in that way disputes should be referred to the Episcopal Synod under Canon 53.12. Contact details for the Episcopal Synod are available from the Secretary General at the General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE.

The Code of Conduct for Conveners and Members of Boards and Committees of the General Synod is available at: <https://www.scotland.anglican.org/wp-content/uploads/Code-of-Conduct-for-Boards-and-Committee-members-2018.pdf>

### **Complaints against a member of diocesan or provincial staff**

Where your complaint is about a member of diocesan or provincial staff, there are different ways to respond: –

1. If the complaint is by one member of staff about another, the processes available in internal staff grievance procedures should be followed.
2. If the complaint is by someone who is not a member of staff then:-
  - a. When it is a minor matter, you are encouraged to share your concerns with the staff member in question and seek a mutual resolution.
  - b. When that is insufficient, or the nature of the complaint makes that inadvisable, you should contact the Diocesan Secretary at the appropriate Diocesan Office (in the case of a complaint against a member of diocesan staff) or the Secretary General at the General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE (in the case of a complaint against a member of provincial staff). If your complaint relates to the Diocesan Secretary, you should contact the Diocesan Bishop and if your complaint concerns the Secretary General, you should contact the Convener of the Provincial Standing Committee.

### **Complaints by a member of diocesan or provincial staff**

Complaints by a member of diocesan or provincial staff relating to a matter relating to their work or working conditions or the behaviour or conduct of others toward them should normally be raised under the grievance procedure applicable to their employment.

### **Complaints relating to training at the Scottish Episcopal Institute**

Complaints relating to matters concerning training and formation are dealt with by specific policies in place within the Scottish Episcopal Institute and the Common Awards programme, details of which are available from the IME1-3 Student

Handbook available at: <https://www.scotland.anglican.org/who-we-are/vocation-and-ministry/sei/>

## **Written Records**

A written record must be kept of any complaint made. This written record should describe the nature of the complaint and the process to be followed for its resolution. This document must be approved and signed by all parties involved in the complaint. All other documentation involved in the process should also be kept on record, subject to appropriate confidentiality and data protection principles.

Approved and adopted by General Synod 2021