



Biblical Counselling UK

Complaints Policy and Procedure

1. INTRODUCTION

The primary purpose of the Biblical Counselling UK (BCUK) complaints policy and procedure is to provide a clear process for dealing with complaints relating to the decisions and actions taken by those involved in the ministry and activities of the charity, either in an employed, contracted or voluntary role.

2. GENERAL PRINCIPLES

We are mindful that all people make mistakes and that a formal complaint should be a last resort. Our desire is that, whenever concerns are raised about the conduct of those involved in the ministry or activities of BCUK, those with concerns will do all they can to seek an informal resolution, rather than escalating their concerns into a formal complaint.

However, we recognise that in some cases there will be no alternative but to make a formal complaint. This formal procedure should only be instigated when attempts to resolve the issue informally have failed or where, due to the nature of the complaints, it is not considered appropriate to do so.

3. WHO CAN BRING A COMPLAINT?

Anyone may make an informal or formal complaint against anyone involved in the ministry or activities of BCUK, whether employed staff, contracted personnel or volunteers.

If we receive a number of inter-related complaints or a number of people make the same complaint, we may decide to consolidate the investigation or to deal with the earliest complaint first. The approach will depend on the nature of the complaints and the timing of receipt of the complaints.

4. WHAT TYPES OF COMPLAINTS WILL BE CONSIDERED?

BCUK will consider complaints about:

- i. The application of our procedures or decisions which directly relate to the complainant.
- ii. The conduct of our staff.
- iii. The conduct of any individuals who we have appointed to serve on a contracted or voluntary basis in any of our groups, programs or activities.

We cannot consider:

- i. Complaints which are unrelated to the activities of BCUK.

- ii. Complaints about our decisions or procedures which do not relate directly to the complainant.

Where a complaint is raised which does not comply with these requirements, we will inform the complainant why the decision has been made not to consider it, and will also send a copy of this complaints procedure.

5. HOW TO MAKE A COMPLAINT

5.1 Complaints regarding application of procedures or decisions made

A complaint must be made in writing and must set out as much as possible of the following information:

- i. The actions you are complaining about;
- ii. Their relationship to BCUK;
- iii. When they took place;
- iv. Why you think the actions were wrong;
- v. Details of what you have done to try to raise your concerns and any response you have received;
- vi. What you consider would resolve your concerns;
- vii. Details of who else you have reported the matter to;
- viii. Any additional information;
- ix. Confirmation that you are happy for detail of your complaint and the supporting documentation to be provided to those who have made the decisions in question.

5.2 Complaints regarding the conduct of BCUK staff, contracted personnel or volunteers

A complaint must be made in writing and must set out as much as possible of the following information:

- i. The name of the person you are complaining about;
- ii. The events you are complaining about;
- iii. Details of when the events took place;
- iv. Details of where the events took place;
- v. Details of any witnesses to the issues of concern;
- vi. Details of how this relates to BCUK;
- vii. Details of what you have done to try to raise your concerns and any response you have received;
- viii. What you consider would resolve your concerns;
- ix. Details of who else you have reported the matter to;
- x. Any additional information; and
- xi. Confirmation that you are happy for detail of your complaint and the supporting documentation to be provided to the person complained about should it be necessary to do so.

5.3 In all cases

Your complaint will not be dealt with unless you provide as much as possible of the information set out above. Any supporting documentation that exists should also be enclosed.

Please note that we strongly advise against the use of public forums and social media for making complaints and generally negative comments about the things you are complaining about, particularly before and during the complaints procedure. Any such public statements or interactions may be taken into account during the complaints procedure.

5.4 Where to send a complaint

The complaint should be clearly marked “Formal Complaint” and sent to the Executive Director: Steve Midgley (stevemidgley@bcuk.org) and copied to info@bcuk.org. If the complaint relates to actions of the Executive Director, it should be sent directly to the Chair of Trustees: Mike Warren (chair@bcuk.org) and copied to info@bcuk.org.

6. HANDLING THE COMPLAINT

6.1 Initial response

The complaint will be acknowledged in writing or by email within 5 working days. In that time, an investigator will be appointed to look into your complaint. Depending on the nature and scope of the complaint this might be someone from within BCUK, its current or past contracted personnel (e.g. Certificate Course Tutors), or from an independent external body. You will be told who has been appointed to investigate. The complaint will then be reviewed by the investigator.

The person investigating will seek to:

- i. Establish what has happened and when it happened and who else was involved;
- ii. Contact or meet with the complainant if there is a need for clarification regarding the complaint or any further information is required;
- iii. Following the initial information and any discussions with the complainant, unless prevented by law or because it would prejudice any further investigation, those complained about will be informed of the nature of any allegations, regardless of whether any further action or investigation is required;
- iv. Interview those involved and those complained about, where necessary to understand their account of events;
- v. Keep notes of all investigatory interviews.

6.2 Complaints regarding application of procedures or decisions made

Once the investigation is concluded the investigator will decide whether the complaint is well founded and send the complainant their decision. Where any aspect of the complaints are upheld, the investigator should also specify the actions suggested to remedy the situation. The details and records of any complaint will be securely held by BCUK for a period of 10 years after its conclusion.

6.3 Complaints regarding the conduct of BCUK staff

If the person investigating concludes that the evidence suggests that conduct worthy of disciplinary action may have taken place, the issue will be dealt with under the staff disciplinary processes.

6.4 Complaints regarding BCUK contracted personnel or volunteers

If the person investigating concludes that the evidence suggests that misconduct may have taken place, the issue will be referred to a panel of three members of the trustees unconnected with the matter under investigation to consider the evidence and to come to a decision, within 30 days.

If it would be impossible for three trustees to reasonably be considered independent, one or more of them could be replaced with suitable individuals either from within BCUK, its current or past contracted personnel (e.g. Certificate Course Tutors), or from an independent external body. This may change the timescale for coming to a decision.

The panel may choose to invite the complainant or the person complained about to address the panel, but are not required to do so. Such a decision will be communicated to the complainant and to

the person complained about within 5 days of the panel's decision. The panel will also inform the Charity Commission if circumstances require.

7. TIMESCALES

Following receipt of each complaint, the complainant will be given within 21 days an estimate of their expected timescale for dealing with the complaint. Where, as the investigation proceeds, it is not possible to meet those timescales, an updated timeline for dealing with the complaint will be provided. The more complex the complaint, the longer the timescale is likely to be. In some cases it may take several months to properly investigate and respond to a complaint.

If the subject matter of the complaint has also been referred to the Police, it may be that our investigation into the complaint cannot commence or be completed until the Police have completed their own investigations and either decided not to proceed or a Court decision has been taken. Our approach in these cases will depend on the particular circumstances of the case. Similarly, if complaints have also been made to the Charity Commission, Christian Safeguarding Services or another regulatory body, it may be inappropriate for us to investigate separately. The complainant will be informed if we consider this to be the case.

8. WHAT IF YOU ARE UNHAPPY WITH THE OUTCOME OF THE INVESTIGATION?

8.1 Complaints regarding application of procedures or decisions made

You will have the right to appeal any decision on a complaint on these issues. Written notice of intention to appeal should be made within 14 days of the date the outcome of your complaint was sent to you. The appeal itself should be made within a further 14 days. The appeal should be in writing and must be sent to the person outlined in §5.4, above, who will arrange for your appeal to be considered by someone other than the person who took the initial decision (where possible).

The appeal must set out:

- i. Your grounds of appeal; and
- ii. What you consider would resolve your concerns.

Again we strongly advise against the use of public forums and social media before or during the appeal period. Any such public statements or interactions may be taken into account during the appeal.

8.2 Complaints regarding the conduct of BCUK staff, contracted personnel or volunteers

There is no right for complainants to appeal against the outcome of the investigations into BCUK staff, contracted personnel or volunteer conduct. This is because we believe that individuals who are under investigation need certainty that if an investigation has concluded then it will conclude the matter. However, if new evidence comes to light that has not previously been submitted that should be provided to the original panel, who will determine whether further investigation is necessary in light of that evidence.

If you have a complaint concerning how the investigation itself was carried out, you are able to raise a subsequent complaint about this (see §5.1 above).

9. VEXATIOUS COMPLAINTS

If the panel concludes that a complaint has been made vexatiously or in bad faith, BCUK reserves the right to take appropriate further action. In such cases, we would inform the complainant that this is how the complaints are being seen, along with the reasons why.

10. CONTACT BY COMPLAINANT

Once a formal complaint has been made, you should avoid any ongoing discussion or correspondence with the person you have complained about relating to your complaints without the consent of the investigator.

We continue to strongly advise against making negative comments using public forums or social media, even after the conclusion of the complaints procedure.

11. CONFIDENTIALITY

The fact of and content of your complaint will be kept confidential in so far as is necessary in order for us to properly investigate the complaint and reach a decision relating to it. Please note that we expect you to maintain reasonable confidentiality as to the nature and content of your complaint so that the investigator is able to work without obstruction. If you, or others, make public statements, contact the press, or use social media forums to complain about the situation or our handling of it under these processes, we reserve the right to respond publicly to any allegations or statements. Under such circumstances we will consider that you have chosen not to view your complaint as confidential.

12. FURTHER COMPLAINTS

As a registered charity, BCUK is accountable to the Charity Commission for England and Wales. Serious complaints can therefore be made to the Charity Commission where appropriate (<https://forms.charitycommission.gov.uk/raising-concerns/>).

If your complaint regards our charitable fundraising, and you feel the complaint has not been resolved or dealt appropriately by us, you can contact The Fundraising Regulator (further details are available on their website <https://www.fundraisingregulator.org.uk/>).

Concerns can also be raised externally with Christian Safeguarding Services advice line: Phone: 0333 303 4101; E-mail: info@thecss.co.uk.