

Complaints Procedure

COMPLAINTS PROCEDURE

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1 Introduction / Background

Our vision is empowering people to live Christ centred lives. Our mission is to:

- CONNECT - see people connecting with God and others;
- ENGAGE - see people engaging their world for Christ;
- ACTIVATE - see people activating their God given gifts; and
- PARTNER - see people partnering with the church locally and globally.

As part of this vision, Shellharbour Community Church (SCC) is committed to ensuring that the church and its operations are conducted with excellence. SCC recognises that there may be times when issues arise that require SCC to resolve difficulties, grievances and complaints in a prompt, and equitable manner. The procedure sets out the process by which this will occur.

2 Scope / Purpose

This procedure applies to all aspects of SCC and its services.

The purpose of this procedure is to:

1. provide guidance in the handling of complaints;
2. provide a process where complaints are handled consistently, equitably, and ensuring privacy; and
3. inform staff and leaders of their responsibilities regarding handling of complaints.

SCC is committed to the early and informal resolution of complaints. Complainants should attempt to resolve complaints in an informal way with the person directly involved.

3 Biblical Underpinning

God's heart is for vulnerable people. We see this expressed as He identifies four classes of vulnerable people who were to be protected and given special care in the Old Testament: the widow, the poor, the orphan and the alien (foreigners living in Israel) (e.g. Deuteronomy 10:18-19). In Luke's version of the sermon on the mount, Jesus says to His friends: "Blessed are you who are poor, for yours is the kingdom of God" (6:20). Not the poor in spirit, as in Matthew, but the poor. God's heart is for those who 'no not have' in earthly terms. He says His kingdom is theirs. James 1:27 reinforces this by reminding us that the, "religion that God our Father accepts as pure and faultless is this: to look after orphans and widows in their distress and to keep oneself from being polluted by the world".

As the body of Christ, we are called to welcome people and make our church a safe place for them. For this reason, a complaints procedure gives a very clear avenue for anyone in the church to identify when there is a perceived problem. This is important for accountability of leadership and a two-way flow of communication.

4 Definitions

Term	Definition
Bullying	Bullying is repeated unreasonable behaviour directed towards a person that creates a risk to their health and safety. Further information can be obtained from http://www.workcover.nsw.gov.au/newlegislation2012/health-and-safety-topics/human-behaviour/Pages/bullying.aspx
Complainant	The person/s that has lodged, or is considering lodging, a grievance or complaint.
Duty of Care	To do everything reasonably practicable to protect others from harm (Safe Churches Awareness Manual 2010, p 5). In legal terms it is" the obligation of a person to exercise reasonable care in the conduct of an activity." ("Definitions", <i>The Law Handbook</i> , [accessed 4/01/13], http://www.lawhandbook.org.au/handbook/go01.php#id4590820) Biblical references: Mark 9:36-37; Matthew 25:40
Informal	The initial stage of the complaints procedure. A complainant should attempt to resolve complaints at this stage of the process.
Formal	If the complaint is unable to be resolved at the informal stage a formal complaint can be made.
Respondent	The person responding to the complaint, ministry leader, SCRO or senior pastor
Safe Churches	National Council of Churches in Australia Safe Church Project http://www.ncca.org.au/departments/safe-church-network/scta
SCRO	Safe Church Reporting Officer appointed by the senior pastor for overseeing safe church practices
SCC	Shellharbour Community Church
Unlawful	An action in relation to matters prohibited by law
Vulnerable people	People who do not have the ability to advocate for themselves, are less able to protect themselves or are at risk of harm. (Biblical Reference Deuteronomy 10:18-19; Luke 6:20; James 1:27)
Working days	Days specified by the Senior Minister as the days the church office is open. For the purpose of this procedure these are Tuesday to Thursday each week.

5 Complaints Procedure

5.1 Principles

SCC seeks to resolve issues, difficulties, grievances and complaints in a prompt, impartial and just manner.

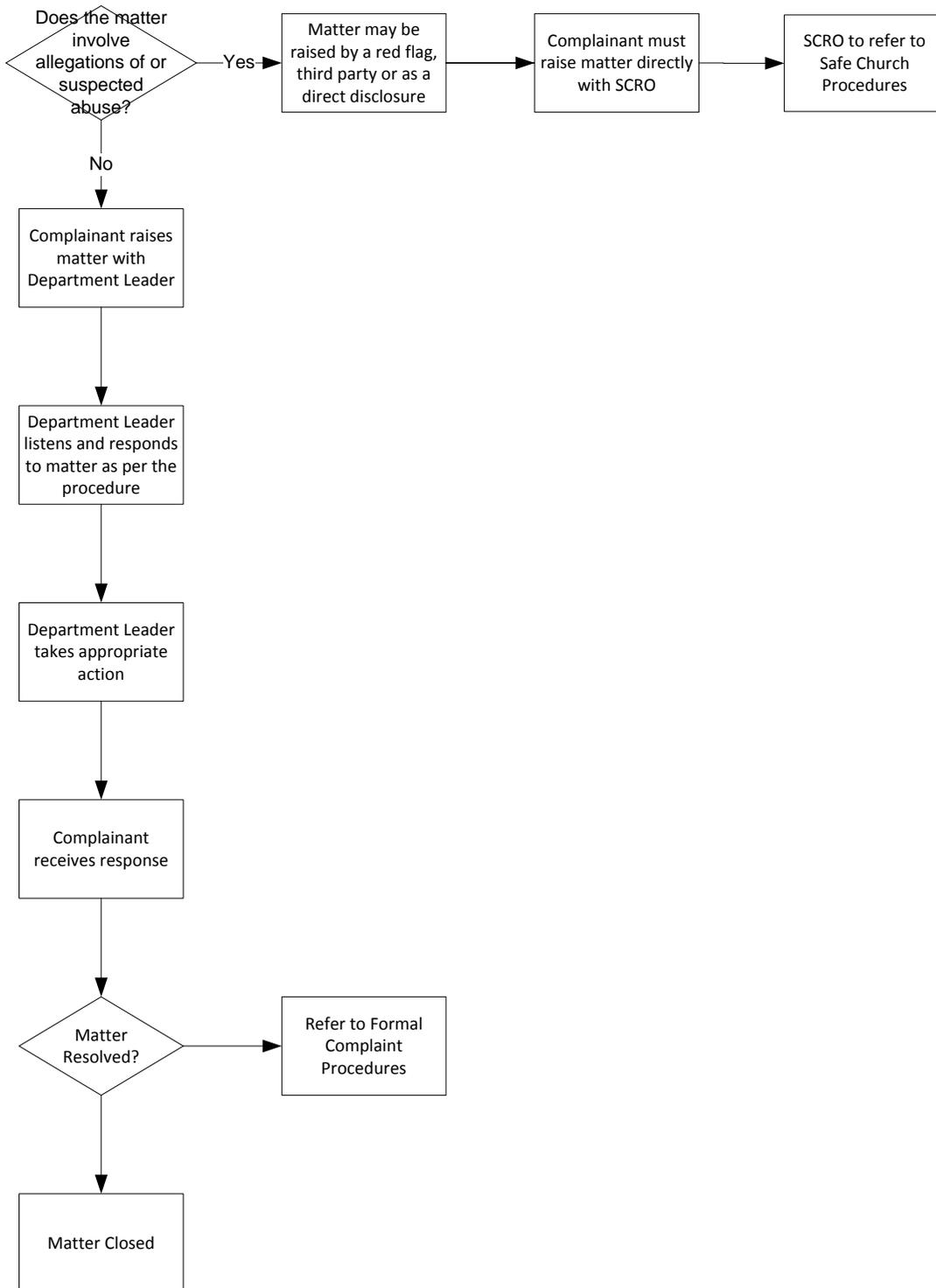
SCC is committed to the early and informal resolution of complaints. Complainants should attempt to resolve complaints in an informal way with the person directly involved. The method of resolving complaints will differ depending on the specifics of the complaint. The complaint may be informal or formal in nature.

All parties involved in a complaint must participate in the resolution of the matter in good faith. Leaders and members of SCC are expected to conduct themselves in line with biblical principles. All parties involved are to be treated with respect and impartiality.

The principles of natural justice should be observed. This includes that the matter will have a fair hearing and to have a decision made by an unbiased decision-maker.

SCC will abide by legislative responsibilities at all times. This includes the mandatory reporting of alleged abuse to the appropriate authorities.

5.2 Informal Complaint Flowchart



5.3 Informal Complaint Procedure

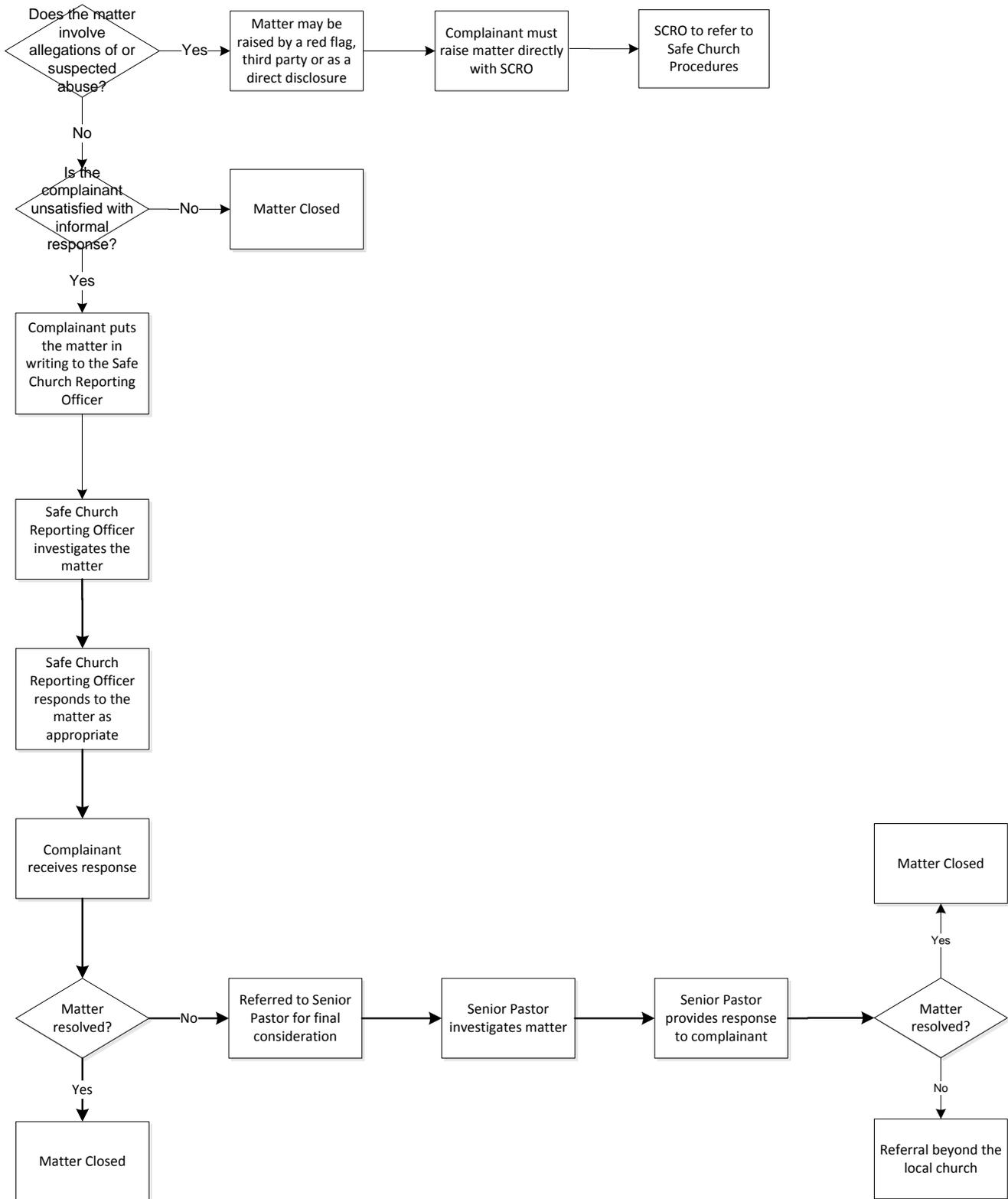
A complainant is to raise the matter directly with the relevant Ministry Leader as soon as practicable.

If the matter involves allegations of, or suspected abuse, the matter is to be directly referred to the SCRO. This notification should occur as soon as practicable. The preferred method of communication of these matters is in person. Matters can be raised through the identification of red flags by a team leader, via a third party sharing concerns with a team leader or through direct disclosure to a team leader from the person. The SCRO will take the appropriate steps under their formal responsibilities as directed by the INC Ministry Support Centre, and according to the Safe Churches Manual.

The Ministry Leader will:

1. Listen to the complainant and provide advice on options available to the complainant, including providing advice on managing the matter themselves;
2. Maintain the confidentiality of the complaint;
3. Consider the wishes of the complainant wherever possible, but this may not include taking no action where duty of care requirements need to be considered;
4. Respond seriously and impartially and deal with the complaint promptly;
5. Advise the complainant and respondent of the responsibilities of all parties as outlined in Safe Churches;
6. Seek a response to the allegations from the respondent;
7. Provide copies of relevant policies and procedures, if needed;
8. Ask the complainant:
 - a. What other avenues they have explored to try and resolve the matter,
 - b. What action they are requesting, and
 - c. What expectations they have for an outcome;
9. Examine the complaint and the response;
10. Pursue any questions and speak to other relevant parties;
11. Evaluate any relevant documents and information and consider mitigating factors;
12. Seek advice from a more senior leader if unsure;
13. Propose a resolution, where appropriate, with input from the complainant and respondent; and
14. Implement or facilitate the implementation of the resolution, if appropriate.

5.4 Formal Complaint Flowchart



5.5 Formal Complaint Procedure

If the complainant is unsatisfied with the outcome of the informal complaint, they are able to submit a formal complaint. In order to activate a formal complaint, the complainant needs to have completed the informal complaints process. If at the conclusion of the informal complaints process the complainant is unsatisfied with the outcome of the informal complaint, they need to submit a formal complaint in writing to the Safe Church Reporting Officer.

Submissions can be made via the slot at the information counter, feedback@sccoc.org.au or in a letter addressed to the Safe Church Reporting Officer, PO Box 4083 Shellharbour, 2529.

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The Safe Church Reporting Officer will:

1. Maintain the confidentiality of the complaint;
2. Examine the complaint and the response;
3. Collate and review information from the completed informal complaint process;
4. Document the complaint using the Issue or Complaint Report Form;
5. Consider the wishes of the complainant wherever possible, but this may not include taking no action where duty of care requirements need to be considered;
6. Respond seriously and impartially and deal with the complaint promptly;
7. Pursue any questions and speak to other relevant parties;
8. Evaluate any relevant documents and information and consider mitigating factors;
9. Seek advice from a more senior leader or Ministry Support Centre if needed;
10. Provide outcome, where appropriate, with input from the complainant and respondent;
11. Implement or facilitate the implementation of the resolution, if appropriate; and
12. Obtain signatures of all parties on the Issue or Complaint Report Form.

5.6 Appeal of Outcome

Once the Safe Church Reporting Officer has responded to the complaint, the Complainant has ten working days to submit an appeal. Appeals are submitted in writing to the Senior Minister of SCC.

The Senior Minister will:

1. Maintain the confidentiality of the complaint;
2. Examine the complaint and the response;
3. Collate and review information from the completed informal and formal complaint process;
4. Consider the wishes of the complainant wherever possible, but this may not include taking no action where duty of care requirements need to be considered;
5. Respond seriously and impartially and deal with the complaint promptly;
6. Pursue any questions and speak to other relevant parties, if needed;
7. Evaluate any relevant documents and information and consider mitigating factors;
8. Seek advice from a more senior leader or Ministry Support Centre if needed;
9. Provide outcome, where appropriate, with input from the complainant and respondent; and
10. Implement or facilitate the implementation of the resolution, if appropriate.

5.7 Escalation beyond local church

In the event that a complainant is still unsatisfied with the response from the senior pastor, or the complaint is against the senior pastor, the complainant can put their complaint in writing to the INC State Chairman (refer to <http://inc.org.au>).

6 Roles and Responsibilities

6.1 Senior Minister

1. Manage and deal with complaints in line with this procedure;
2. Discharge their responsibilities as outlined in legislation; and
3. Maintain appropriate records.

6.2 Safe Church Reporting Officer

1. Investigate formal complaints in line with this procedure;
2. Discharge their responsibilities as outlined in legislation;
3. Maintain appropriate records; and
4. Provide mechanisms to assist in the education and access to this procedure.

6.3 Ministry Leaders

1. Manage and deal with complaints in line with this procedure;
2. Maintain appropriate records;
3. Refer issues to the Safe Church Reporting Officer as required; and
4. To educate the members of their ministry on the existence of the Complaint Procedure.

6.4 All SCC Leaders

Are expected to be diligent in discharging their duty of care by:

- a. Ensuring a safe spiritual, emotional and physical environment is provided in which ministry programs and opportunities can take place; and
- b. Ensuring that complaints and allegations are addressed according to good practise.

6.5 Complainant

1. Raise issues as soon as possible with the appropriate leader; and
2. Submit complaints in line with the procedure outlined in this document.

7 Related Documents and References

7.1 Legislation

Anti-Discrimination Act 1977

Child Protection Legislation Amendment Act 2003

Children and Young Persons (Care and Protection) Act 1998

Commission for Children and Young People Act 1998

Occupational Health and Safety Act 2000

Protected Disclosures Act 1994

7.2 Safe Churches Australia

<http://www.ncca.org.au/departments/safe-church-network/scta>

8 Version Control Table

Version Control	Date Released	Approved By	Amendment
1.0	6-Jan-13	Pastor Shane Cook	New procedure
1.1	20-Jun-13	Suzanne Kennedy	Minor changes to reflect current safe church procedures
1.2	11-Jun-14	Suzanne Kennedy	Updated church name, changed "department leader" references to "ministry leader" and COC to INC