



Safeguarding Complaints Policy and Procedure

This policy is for employees, office-holders, volunteers and the Minster Community. It can also be used by visitors and external contractors.

Use this policy to...

- Understand the three stage model of York Minster's policy for handling complaints by people who consider that a safeguarding issue relating to them has not been handled correctly
- Find out what you need to do if you have a complaint about the procedure leading to a decision by any representative of York Minster regarding a safeguarding issue relating to you
- Find out where to get further information and advice about this policy and procedure

Use this procedure to...

- Make a complaint informally or formally regarding safeguarding
- Understand who and what is involved if you make a complaint

N.B. The complainant must be the person directly affected by the safeguarding issue and not a third party, but a complaint on behalf of a child may be made by a parent of the child or their legal guardian.

The Chapter of York take complaints about their work and quality of service in all aspects of safeguarding seriously. We view complaints as an opportunity to learn and improve the support that we offer to all who visit, volunteer and work at York Minster. If you are not satisfied with the way in which a safeguarding issue relating to you has been handled, please follow the process below.

Our aims are:

- to provide a fair procedure which is clear and easy to use
- to be open about how we will deal with complaints
- to ensure that all complaints are investigated fairly and in a timely way
- to resolve complaints as near to the point of original contact wherever possible
- to gather information in order to improve our safeguarding work.

For the purpose of these procedures, a complaint is any expression of dissatisfaction about any aspect of safeguarding work relating directly to you undertaken by representatives of York Minster.

All information will be handled sensitively, sharing information on a 'need to know' basis and in accordance with data sharing and confidentiality policy and procedure.

Overall responsibility for this procedure and its implementation lies with the Chapter of York. This policy will be reviewed periodically as required.

Complaints procedure

In many cases, a complaint is best resolved by the person responsible for the issue that is being complained about. If the complaint has been received by that person, we expect that all reasonable efforts will have been made to resolve it swiftly if possible and appropriate (informal resolution). However we appreciate that this is not always possible or appropriate and therefore have the following three stage process in order to deal with all complaints raised.

Stage One

Initially, the complaint should be made to the Director of People, Training and Organisational Development (DPTOD). This can be in writing or by telephone. All telephone conversations will be recorded in writing and the records shared with the complainant to ensure accuracy and transparency. The complaint will be acknowledged and responded to within two working weeks (i.e. 10 working days) and a copy of this complaints procedure will be supplied.

Within this timescale, the DPTOD will do the following:

- make all necessary and appropriate enquiries to establish the substance of the complaint and any attempts already made to resolve the matter informally
- form a view and decide who the best person to respond to the complaint would be
- initiate discussions or meetings with the complainant to fully understand the issues raised, seek clarity and be clear on what would constitute a resolution for them
- arrange any necessary mediation between the parties and any necessary, subsequent action(s).

It is hoped that an acceptable resolution can be found and the complaint can be concluded to the complainant's satisfaction at this level. However, if this is not the case, the complainant must inform the DPTOD within two working weeks (i.e. 10 working days) of the reasons for their dissatisfaction with the Stage One outcome and their wish to proceed to Stage Two, which will be progressed as follows:

Stage Two

At Stage Two, the details of the complaint and actions taken at stage one will be passed by the DPTOD to the York Minster Safeguarding Representative (an independent member of congregation, who chairs the York Minster Safeguarding Committee).

The York Minster Safeguarding Representative will:

- acknowledge receipt of the Stage Two complaint and that they are reviewing details within one working week (i.e. five working days)
- make it clear when a response can be expected. The aim will be for complainants to receive a definitive reply within four working weeks (i.e. 20 working days). If this is not possible because, for example, an investigation has not been fully completed, a further communication will be sent with an indication of when a full reply will be given.
- review all documentation and the actions taken so far and discuss with the complainant the situation from their perspective and why resolution could not be reached. All conversations will be recorded in writing and the records shared with the complainant to ensure accuracy and transparency
- discuss the same with the DPTOD and the Diocesan Safeguarding Team (where appropriate) and consider what, within the framework of York Minster policy and, if necessary, the law could be a way forward to resolve the issue at hand
- where necessary, take advice from the Chapter Clerk and DPTOD in order to formulate a response for the complainant and any necessary action.

The reply (within 20 working days where possible) to the complainant will inform them of the action(s) taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Again, where possible the complaint will be resolved at this level, but if not then the complainant must notify the York Minster Safeguarding Representative within two working weeks (i.e. 10 working days) of the reasons for their dissatisfaction with the Stage Two outcome and their wish to proceed to Stage Three, which will be progressed as follows:

Stage Three – Appeal

If the complainant remains unsatisfied after the Stage Two process has been completed, they have the right to advise the Independent Chair of the York Minster Cathedral Council via the DPTOD of their desire to appeal to the Cathedral Council as the final appeal body. The Independent Chair of the Cathedral Council will chair the appeal panel, and will nominate to sit alongside them to consider the appeal not less than two and not more than four other members of the Cathedral Council, none of whom shall be members of Chapter or the College of Canons.

Once the DPTOD has notified the Independent Chair of the need for Stage Three to be initiated, the Independent Chair will acknowledge the request for appeal within two working weeks (i.e. 10 working days). The process undertaken at Stages One and Two will be reviewed and the Independent Chair may choose to talk to and/or meet with the parties concerned, together or separately, to gain clarification on the issues before the full panel considers the Stage Three appeal.

A final decision and any action deemed necessary will be communicated to the complainant within six working weeks (i.e. 30 working days).

Monitoring and learning from complaints

The number and outcome of any safeguarding complaints will be reported at least twice each year by the DPTOD to the Chapter of York to identify any trends which may indicate a need to take further action.

Complaints Process Timetable

- **Informal stage** (where appropriate)
- **Stage One** (Director of People, Training and Organisational Development)
 - Initial response within one week (five working days)
 - Decision within two weeks (10 working days)
 - If complainant not satisfied, request for Stage Two to be received by DPTOD within two weeks (10 working days)
- **Stage Two** (York Minster Safeguarding Representative)
 - Initial response within one week (five working days)
 - Decision within four weeks (within 20 working days)
 - If complainant not satisfied, request for Stage Three to be received by DPTOD within two weeks (10 working days)
- **Stage Three** (Appeal to York Minster Cathedral Council)
 - Initial response within two weeks (10 working days)
 - Decision within six weeks (30 working days)

For more information or help using this policy...

- If you are a manager, a co-ordinator of volunteers or a member of community, more information about safeguarding is available from
 - Chapter Child Protection and Safeguarding Children Policy (Interim March 2016)
 - Safeguarding training available for all employees and volunteers of York Minster
 - Safeguarding Children and Adults leaflet
- Alternatively, you can contact the Director of People, Training and Organisational Development (DPTOD) for more information.
- If you have a concern or query regarding safeguarding, contact a team member of the Safeguarding Committee at York Minster in the first instance.
If you are concerned about any behaviour or responsibility regarding safeguarding you can contact the Chapter Safeguarding Advisor (CSA) for advice and support.

