

# Complaints Procedure

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## 1 Purpose and Scope

*Why does this document exist?*

This document outlines the procedure the Auckland Baptist Tabernacle (ABT) will seek to follow in the event of receiving and becoming aware of complaints regarding the church’s organisation, officers, pastors, staff and key volunteers. The intent of this procedure is to ensure that complaints are responded to in a fair, effective, ethical, lawful and honest manner.

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## 3 Definitions

Complaint:	An allegation or matter of concern
Complainant	The person raising the complaint
Respondent:	The person with whom the complaint has been raised
Church Complaints Team:	The people appointed to assess serious complaints, made up of two duly appointed church members, the Governance Group Chairperson and the Senior Pastor

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## 4 Informal Complaints Procedure

### 4.1 Explanation & Purpose

- 4.1.1 An Informal Complaints Procedure is to be initially followed in cases that involve relational, ministry, and organisational misunderstandings, tensions, or differences, and in all other instances where an informal approach would be an appropriate first step to resolve complaints that have been raised.
- 4.1.2 An informal complaints procedure is not to be followed in cases that involve complaints, allegations or concerns of serious misconduct (e.g. unethical, sexual or criminal behaviour). In these instances, the complaint will be referred to the Church Complaints Team for assessment and for consideration under a Formal Complaints Procedure.
- 4.1.3 The purpose of an Informal Complaints Procedure is to outline a process whereby complaints and concerns can be addressed and potentially resolved in an informal one-on-one context, or a facilitated process between the parties, before being escalated to a more involved and formal process. As such it seeks to reflect the intent of Scripture, that matters of conflict and misunderstanding between believers are first to be addressed directly between the persons or parties concerned (Matthew 18:15)

### 4.2 Steps to Dealing with an Informal Complaint

- 4.2.1 If a person (complainant) has a complaint or concern with a church leader (officer, pastor, staff member, elder, ministry leader) or an action or decision undertaken in that church leader's area of ministry, then the complainant is encouraged to raise this issue directly with the person concerned (the respondent).
- 4.2.2 In raising their complaint or concern complainants are encouraged to follow healthy process in this regard;
- Raise your concern directly with the respondent rather than with other people
  - Use helpful language to express your concern (e.g. "I" statements, appropriate tone)
  - Be aware of judgement and strong emotion
  - Be open to hearing the respondent's perspective
  - Be prayerful
- 4.2.3 Suitable & acceptable outcomes of an informal process could involve;
- Reconciliation and resolution of the complaint
  - Acknowledgement of the complainant's concerns
  - Agreeing to disagree agreeably

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- 4.2.4 If the complainant feels that they are unable to raise their complaint directly with the respondent due to a perceived power imbalance, then a suitable 3<sup>rd</sup> person can be proposed to facilitate an informal process. This 3<sup>rd</sup> person could be a church member or another church leader that is agreeable to all parties. In addition to this complainants and respondents may be able to call upon the help of support people to assist them in addressing or responding to a complaint. The role of a support person is to provide moral support to the respective parties involved in the complaint and not to act as spokesperson or mediator of the complaint.
- 4.2.5 If other serious matters are uncovered in the informal process or the matter is not able to be resolved suitably and acceptably, then the matter may be referred to the immediate upline of the respondent for assistance or alternatively directed to the Church Complaints Team for assessment

## 5 Formal Complaints Procedure

### 5.1 Explanation & Purpose

- 5.1.1 A Formal Complaints Procedure is to be undertaken on the recommendation of the Church Complaints Team due to complaints, allegations or concerns of serious misconduct by a church officer, pastor, staff member, elder, or ministry leader.
- 5.1.2 The purpose of a Formal Complaints Procedure is to outline a process whereby serious complaints and concerns can be properly addressed with the hope that clarity, fairness, truth, reconciliation and justice are able to be experienced

### 5.2 Assessment of a Serious Complaint

- 5.2.1 Complaints involving allegations and concerns of serious misconduct by a church leader will be immediately directed to the Church Complaints Team for assessment. If the complaint is against a member of the Church Complaints Team, then as per our conflict of interest policy, that person will not be consulted or included in the assessment process.
- 5.2.2 Complaints are requested to be put into writing for assessment by the Church Complaints Team. Exceptions to this are in instances of disclosure by vulnerable parties, or the emergence of serious concerns that warrant immediate response by the Church Complaints Team
- 5.2.3 Upon receipt of a complaint, allegation or concern of serious misconduct, the Church Complaints Team will make an initial assessment of the complaint and make appropriate response. This response may include;
- Disclosure of the complaint to appropriate authorities (e.g. Police, Oranaga Tamariki, Baptist Union). This is particularly so in instances of personal safety and sexual abuse of minors
  - Talking directly with the complainant and other related parties to confirm details relevant to the complaint
  - Talking with the respondent if appropriate regarding the complaint that has been received
  - Implementing a formal complaints procedure

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5.2.4 The Church Complaints Team will treat all serious complaints with due respect and confidentiality. However, it should be noted that there may be circumstances that necessitate the sharing of information with appropriate parties when responding to the complaint and as such strict confidentiality may not always be able to be maintained

### 5.3 Steps to dealing with a Formal Complaint

If a Formal Complaint Procedure has been recommended by the Church Complaints Team or requested by a complainant regarding a serious complaint against a church leader (officer, pastor, staff member, elder, or ministry leader) then the follow steps will be considered in response;

- 5.3.1 The Church Complaints Team will arrange for the complaint to be investigated and will determine the scope of the investigation and the immediate actions needed for the investigation to proceed
- 5.3.2 The investigation will be conducted in a time-sensitive manner, and with a commitment to thoroughly investigate the complaint fairly and impartially
- 5.3.3 Every effort will be made to acknowledge receipt of the complaint to the complainant as early as possible
- 5.3.4 The Church Complaints Team will make every effort to investigate the complaint and consult with relevant parties as needed for this purpose. This may involve talking further with the complainant to better understand the details of their complaint, and where appropriate as part of fair process, to invite response from the respondent.
- 5.3.5 The Church Complaints Team may also suggest facilitating meetings with the complainant, respondent, and other related parties where appropriate, to explore possible resolution of the complaint.
- 5.3.6 The Church Complaints Team will ensure that accurate notes of their investigation are kept and used to document their findings.
- 5.3.7 If while investigating the formal complaint, serious allegations of misconduct are revealed or proven to be substantiated that would warrant the disclosure of the complaint to the authorities (e.g. Police, Oranaga Tamariki, Baptist Union) then the Church Complaints team will undertake this action
- 5.3.8 The Church Complaints Team will have discretion to call in other appropriate parties to assist them in their investigation and resolution of the complaint. This could include members of the church leadership, external consultants, and representatives of the Baptist Union.
- 5.3.9 If the complaint is unable to be resolved as part of due process, then the Church Complaints Team, having completed their investigation of the complaint, will make their findings and recommendations available to the Governance Group. The Governance Group is authorised to take appropriate action on behalf of the Church Membership as outlined in the ABT Constitution and the within the parameters of the ABT Delegation of Authority Policy.
- 5.3.10 If the actions and recommendations of the Governance Group are not agreeable to the parties involved in the complaint, then they can appeal to the Governance Group for review. The Governance Group in consultation with the Church Complaints Team and other relevant parties will consider the appeal and make a ruling on this

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5.3.11 The Church Complaints Team and Governance Group will ensure that clear communication is maintained between the relevant parties involved in the Formal Complaints Procedure as needed

## **6 Appointment of the Church Complaints Team**

- 6.1 The Church Complaints Team is the group authorised to investigate complaints and concerns of a serious nature in the life of the ABT community, and make recommendations to the Governance Group and church membership as needed
- 6.2 The Church Complaints team will be a made up of two appointed church members from the ABT community (ideally one man and one woman) who are in good standing, have suitable wisdom and maturity in dealing with serious complaints, and are not members of the ABT's senior leadership (i.e. Governance Group, Pastoral team, or staff team). These two church members will be appointed by the Governance Group. In addition to these two church members, the Church Complaints Team will also include the Governance Group Chairperson and the Senior Pastor.
- 6.3 The Church Complaints Team will be invested with full authority to investigate formal complaints and concerns that have been directed to them and will have unrestricted and unimpeded access to all church records, personnel, and ministry activities in the exercising of their duties related to the specific complaint

## **7 Baptist Union Protocols for Complaints of Sexual Harassment and Abuse**

As the ABT is a member of the Baptist Churches of New Zealand, complaints of sexual harassment and sexual abuse about a Pastoral Leader and person(s) appointed (paid/unpaid) to a leadership position in the church's ministries will be conducted using the protocols and policies outlined in the Administration Manual of the Baptist Churches of New Zealand Appendix 2-F. This information is included in this document under Appendix 2.

## 8 Appendix 1: Complaints Procedure Flow Chart

