

Complaints Policy

General

Wherever possible we encourage members to speak directly to a person that they have a concern with. This fits with the principles Jesus outlines in Matthew 18:15-35.

There are situations where this may not be possible or this has not resulted in a satisfactory outcome. There is also a growing awareness of power imbalances in communities and a formal process is a way our community can assist to provide some protection in these circumstances.

What follows is a formal process that can assist where personal contact has not resolved things or is not suitable to the situation, or where a formal process may provide accountability and fairness to all parties.

Initial Processing

The Executive shall appoint a Complaints Officer to oversee the complaints process and maintain a Complaints Log.

A complaint is submitted by a Complainant about an incident in the course of ministry at Cornerstone or by a leader appointed within the Cornerstone Community (paid or unpaid). This may come through an incident report or a feedback form. This process only covers a complaint that is made through this formal reporting.

The Complaints Officer will appoint a Contact Person for the complaint and record that in the Complaints Log. They will acknowledge the complaint within 7 days of receiving it and advise the Complainant in writing of their rights:

- an option to bring a support person or representative to any meeting.
- to be kept informed on the progress of their complaint
- advice about outcomes and appeal procedures
- understanding of confidentiality

The Exec will have access to the Incident Forms, Feedback Forms and Complaints Log.

Information relevant to the complaint will be confidential to the people named in this document:

- The Complainant and their support person(s)
- The named person(s) and their support person(s)
- The Executive and Trustees for oversight
- The Complaints Officer for processing
- The Contact Person for assessment
- An Investigator as required

If the named person of the complaint is in the group above, the Exec as a group can be approached for a decision on how best the perception of a conflict of interest in the process can be managed.

Police are required to be informed in situations already defined in our child protection policies. Beyond these circumstances, it is the responsibility of the Complaints Officer acting on a decision of the Trustees as to whether to refer a matter to the Police OR the independent decision of the Safe Ministry Supervisors appointed at the Annual General Meeting.

Initial Contact

The Contact Person will contact or meet with the complainant to discuss the complaint within 7 days of receiving notification of the complaint (if this is not possible then the complainant will be contacted with reasons for the delay). The goal of this initial contact is simply to understand the nature of the complaint and explore options. There is an opportunity here to discuss informal responses or mediation. The Contact Person should make notes on their discussion and include relevant items from below:

- The confidentiality of the case
- The details of the complaints procedure
- The option for mediation versus a formal complaint process
- The actions Cornerstone might take if the allegations are proven or not proven

Where the Complainant is a staff member include:

- The potential for time off work (optional)
- The availability of EAP services.

A determination will be made whether to pursue an informal process, mediation or a formal complaint based on the Cornerstone Leaders Code of Conduct by the Complaints Officer.

If the complainant does not agree with the determination they can request the matter be referred to the Executive Team for a decision on the process to be taken (determined by a majority vote of the Executive).

Informal Process

An informal conversation may be simply giving the Complainant an opportunity to air a concern or suggest a change in church life. The Contact Person should take written notes and provide them to the Complaints Officer for sharing with the Executive.

Mediation

If mediation is pursued, the Contact Person will arrange for a time and place for a meeting to be held, where:

1. the Contact Person may be the Mediator, or may appoint another suitable person to act in that capacity.
2. both parties will be advertised of the option to bring a support person to the meeting
3. Executive will be advised of the outcome through the Mediator making contact with the trustees and written notes summarising the outcome.
4. If the Complainant is unsatisfied with the outcome of this conversation they can request the matter be referred to the Executive Team for a decision on whether a formal investigation be pursued instead (determined by a majority vote of the Executive).

Formal Complaint Procedure

1. If a formal complaint is pursued, the Complaints Officer will send a letter to the named person in the complaint detailing the allegations and the following:
 - a. Details of the complaint/s.
 - b. The proposed process to be followed.
 - c. The possible consequences they are facing.
 - d. That they should participate in the process as needed.
 - e. That they may bring a support person or representative to any meeting.
2. In a formal complaint process an Investigator will be appointed by the Complaints Officer after consultation with either the Senior Pastor or the Trustees.
 - a. If an external Investigator is appointed, they will be independent, impartial, unbiased & experienced.
 - b. The Investigator will be instructed to conduct interviews with the complainant, the named person, and any other relevant people. A copy of the written complaint, including the complainant's name, will generally be provided to the named person
 - c. A copy of these records will be stored in a secure location (online or physical) determined by the Complaints Officer and kept indefinitely.
3. The Overseeing Body will receive the investigation report and evaluate its contents.

- a. If the complaint is about the Senior Pastor, the Overseeing Body is the Board of Reference.
 - b. If the complaint is about someone else, the Overseeing Body is the Executive.
 - c. The Executive Committee informs the involved parties of the outcome of the investigation.
 - i. If the allegations are not proven, the investigation will close.
 - ii. Identify how to help all parties re-establish a constructive relationship. e.g. mediation services.
 - iii. Monitor the health & safety of all parties. e.g. offer EAP services.
4. Formal meeting with the named person if the Overseeing Body agrees (by majority vote) there may be misconduct or serious misconduct.
 - a. Letter issued to the named person, followed by a formal meeting.
5. Further investigation (if necessary).
 - a. The named person has an opportunity to respond to allegations and give any new evidence that supports their case.
 - b. The Overseeing Body will consider what action to take, if any.
 - c. Take time to consider any disciplinary action.
6. Provide the named person with a preliminary decision.
 - a. You must provide the named person with a 'preliminary decision', including details of any proposed disciplinary action.
7. Provide a final decision.
 - a. Meet with the named person to provide a final decision and reasons why.
8. Review process by the Executive Committee and / or Board of Reference.

Approved for use by Executive on 20 February

Complaints Officer: Ben Burnell

Executive: Steve Goodman, Ross Davids, Nick Duke, Coral Warwick, Naomi Marshall, Greg McMullan, Ben Burnell