# When things go wrong

Sometimes things go wrong in ministry, for lay and ordained ministers, and in parish relationships. All those who raise concerns or complaints need to be properly listened to, and all those about whom the concern or complaint is raised need to be fairly treated, while the matter is explored and afterwards. This document sets out a process that is transparent and fair for all involved. We hope that wherever possible concerns or complaints can be resolved locally, and to be able to offer parishes, ministers and parishioners what support they need from the diocesan team to deal with them.

Sometimes when a concern is raised it may not need to be treated as a complaint. If at this early-stage issues, grievances or concerns can be resolved informally through conversation, and, as appropriate, apology, this is preferable to entering a complaints process.

The incumbent, as the person under whose oversight lay ministers in the benefice carry out their ministry, should be the normal first point of contact for the raising of complaints, concerns or issues about a lay minister. Can this be resolved informally, or does a formal complaint process need to be activated? If the complaint is made elsewhere, the person (e.g. churchwarden, area dean, diocesan officer) would normally be expected to inform the incumbent, and see if they can resolve it informally or whether they need to begin the formal process at stage one. If it appears that it might be a safeguarding issue, however, the person with whom the concern is raised, or to whom the complaint is made, should immediately refer the matter to the safeguarding team.

The procedure outlined here applies once a complaint made formally in writing.

At all stages of the process and after its conclusion, appropriate pastoral support should be offered both to the complainant and the person against whom the complaint is made.

## First stage

When a complaint is received, the incumbent needs to assess whether this raises a safeguarding issue. If it does, the complaint needs to be referred immediately to the safeguarding team. If it does not, then the incumbent should proceed as outlined below. If there is any doubt as to whether this is a safeguarding matter, then the incumbent needs to seek advice from the safeguarding team.

The incumbent should give the complainant a written notice that they have received the complaint, and a commitment that they will be exploring it with the lay minister, and inform the complainant of the outcome.

For non-safeguarding complaints or concerns, the incumbent and lay minister should first see if they can resolve this locally, in conversation with one another. This may have several outcomes. The lay minister may recognise that there is a legitimate ground of complaint, apologise to the complainant, and agree with the incumbent a future course of action. An apology may be all that is required to draw a line under the complaint. Perhaps a further course of training, or a referral to the diocesan counselling service, or some other outcome may be agreed.

Where it is the incumbent who has a complaint against the lay minister, they should likewise see first if they can resolve it in private conversation. (Complaints by lay ministers against incumbents that can’t be resolved informally or locally should be referred to the Clergy Disciplinary Measure process.) However, if the nature of the complaint or issue is such that either feel themselves unable to attempt such a conversation, they should move to stage 2 and explore a facilitated conversation.

If the matter needs to be referred on, the incumbent and lay minister should both note the conversation for their records, and as a summary of their conversation for the facilitator. If the process progresses all the way to the third stage of a disciplinary panel, the note of this conversation will form part of the evidence considered by the panel. Even when the matter is resolved satisfactorily at this level, incumbent and lay minister may find it helpful to agree a summary of their conversation and each keep a copy.

The incumbent may agree with the lay minister that there is no real ground for complaint and dismiss it. In this case they should make a note of this complaint and the reason for its dismissal.

The original complainant will be informed of either the resolution or escalation of the complaint. If they are unhappy with the outcome, they will be directed to the relevant Archdeacon.

## Second stage

If the matter is unable to be resolved at this local level, incumbent and lay minister should explore a facilitated conversation. For ALMs, this would normally involve approaching the Discipleship and Lay Training Officer, and for LLMs normally involve approaching the Co-Wardens of Readers. This facilitated conversation would potentially have the same possible outcomes as the first stage.

At this second stage, part of the facilitated conversation might also lead to an exploration of whether there was a breakdown of relationship between incumbent and lay minister. Outcomes of this exploration might either be that both would accept a period of mediation, or that the lay minister’s role could not continue under that incumbent’s authority in the same way.

Alternatively, the outcome might be that the issue, concern or complaint was serious enough to reach the level of a disciplinary matter: the third stage of this process.

The facilitator will make a short summary of this conversation and invite the participants to agree it, and both incumbent and lay minister will keep a copy. The facilitator will not, unless the matter proceeds to the third stage, when it will become part of the evidence for the disciplinary panel.

The original complainant will be informed of either the resolution or escalation of the complaint. If they are unhappy with the outcome, they will be directed to the relevant Archdeacon.

## Third stage

If the lay minister, as part of this process has made a complaint about the incumbent, that can only be acted on further by making it formally under the Clergy Disciplinary Measure (CDM), and so needs to be referred to the Bishop’s Office.

If the incumbent and facilitator agree that there is a serious enough complaint made against the lay minister, that, if it were made of clergy would incur a potential penalty under the CDM, then the Discipleship and Lay Training Officer (for ALMs) or the Co-Warden (for LLMs) would convene a disciplinary panel. This would normally consist of that convenor, and two other persons appointed by the bishop or their suffragan.

The incumbent and complainant would present the substance of their complaint, and the lay minister would have the opportunity to present their defence. The lay minister would be strongly encouraged to bring a supportive friend to this hearing.

The panel will, after hearing the matter, make a recommendation to the bishop. The panel will communicate its recommendation to the complainant, incumbent, and lay minister, within 24 hours of the hearing, and, when they have made their determination, the bishop will communicate their decision in writing to all parties. The bishop will also direct how long this adjudication will be kept on file.

For an ALM, the written adjudication will be kept with the incumbent’s confidential files. For an LLM the written adjudication will be kept with their confidential file in the bishop’s office.

The original complainant will be informed of the resolution of the complaint.

## Appeals

If the lay minister wishes to appeal this decision, the bishop will convene a panel of three, including at least one lay person and one ordained person, none of whom shall have been party to the original hearing. The convenor of the original panel will present the thinking of the panel, and the lay minister (who may bring a supportive friend to the appeal hearing) will present their grounds for appeal. The appeals panel will make a recommendation to the bishop whether he should uphold the original judgement, or grant the appeal.

## For reference

### The safeguarding pages of the website are here:

[Safeguarding - Diocese of Worcester (cofe-worcester.org.uk)](https://www.cofe-worcester.org.uk/parish-support/safeguarding/)

### Information about the Clergy Discipline Measure procedure is here

<https://www.cofe-worcester.org.uk/about-us/contact-us/make-a-complaint/clergy-discipline-measure-2003.php>

### Our general diocesan complaints and whistleblowing procedures are here

[Complaints & Whistleblowers - Diocese of Worcester (cofe-worcester.org.uk)](https://www.cofe-worcester.org.uk/parish-support/safeguarding/safeguarding-complaints.php)

### You may also find it helpful to read our bullying and harassment policy

[Preventing Bullying and Harassment - Diocese of Worcester (cofe-worcester.org.uk)](https://www.cofe-worcester.org.uk/your-church-role/clergy/support-for-clergy/preventing-bullying-and-harassment)

## Contacts

**To contact the safeguarding team**, email safeguardingadvice@cofe-worcester.org.uk and where possible fill in and send this referral form:
<https://www.cofe-worcester.org.uk/content/pages/documents/safeguarding-referral-form.docx>

**To contact the Co-Wardens of Readers**, email:
Phil Bradford pbradford@cofe-worcester.org.uk
Kath Davis kdavis@cofe-worcester.org.uk

**To contact the Discipleship and Lay Training Officer**, email:
Doug Chaplin dchaplin@cofe-worcester.org.uk