



CATHOLIC SYRO-MALABAR EPARCHY OF GREAT BRITAIN

Issued by the Eparchial Bishop

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Canonical Complaints - Policy & Procedure

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“Moreover, if your brother sins against you, go and tell him about his fault between you and him alone. If he hears you, you have gained your brother. But if he will not hear, take with you one or two more, that ‘by the mouth of two or three witnesses every word may be established.’ And if he refuses to hear them, tell it to the church. But if he refuses even to hear the church, let him be to you like a heathen and a tax collector” (Mathew 18: 15-17).

1.0 Introduction

The Holy Father Pope Francis erected the Catholic Syro-Malabar Eparchy of Great Britain in July 2016. As an ecclesiastical entity, this Eparchy is governed by Canon law. All oriental Catholic Churches are administered according to the Code of Canons of Eastern Churches (CCEO). In addition, the Syro-Malabar Catholic Church, one of the 24 *sui iuris* (self-governing) Churches, has its own Particular Laws. As the head of this Eparchy when and where necessary, the bishop issues/promulgates instructions, guidelines and procedures for the smooth and effective administration of the Eparchy. Canonical issues, concerns, and complaints pertaining to this Eparchy are to be handled by this policy and procedure.

This Eparchy is also a registered Charity under the Charity Commission of England and Wales and any concerns pertaining to the activities of this Charity are to be addressed according to the guidelines of the Charity Commission. Information about the kind of complaints the Charity Commission can involve itself in can be found on its website - <https://www.gov.uk/complain-about-charity>.

2.0 COMPLAINTS HANDLING POLICY

2.1 Policy Statement

The Syro–Malabar Eparchy of Great Britain views complaints as an opportunity to learn and improve for the future and a chance to put things right for the person or organisation that has made the complaint.

Our policy is:

- to provide a fair complaints procedure which is clear and easy to use for anyone who makes a complaint.
- create a clear system in which the Eparchy manages and responds to complaints.
- to publicise the existence of our complaints procedure so that people know how to contact us to make a complaint.
- to make sure everyone at the Eparchy knows what to do if a complaint is to be made.
- to make sure all complaints are investigated fairly and in a timely manner;
- to make sure that complaints are, wherever possible, resolved and that relationships are repaired; and to collect information which may help us to improve what we do.

3.0 Definition of a complaint

3.1 A complaint is any justified expression of dissatisfaction, about any activities of the Eparchy.

3.2 Complaints may come from any registered members of the Eparchy.

3.3 A complaint can be accepted in whichever manner convenient or accessible to the complainant, i.e. verbally, by phone, by email or in writing

4.0 Confidentiality

All complaint information will be handled sensitively, sharing with only those who need to know and following any relevant data protection requirements.

5.0 Roles and Responsibilities

5.1 Overall responsibility for this policy and its implementation lies with the Eparchial Bishop.

5.2 All Priests, volunteers, registered members of the Eparchy are responsible for ensuring adherence to this policy and the associated procedure.

6.0. Review

This policy is reviewed regularly and updated as required by the Eparchial Bishop.

7.0 Operational Arrangements

This policy must be used in conjunction with the Complaints Procedure.

8.0. TYPES OF COMPLAINTS WHICH ARE NOT COVERED

8.1 This policy does not cover:

8.1.1 **Complaints/safeguarding concerns raised. Complaints about harm to children or vulnerable adults:** These must be referred directly to the respective Safeguarding Local Representative of Parish/Mission/Proposed Mission. Where there is immediate danger, all such concerns should always be referred directly to the Police or Social Services.

8.1.2 **Complaints/breaches of data protection laws:** Complaints about the use of your personal information must be referred directly to the respective Data Protection Local Representative of Parish/Mission/Proposed Mission.

8.1.3 **Complaints/breach of health & safety laws.** Complaints about the breach of health and safety laws must be referred directly to the respective Local Health & Safety Representative of parish/mission/proposed mission.

9.0 Complaints procedure

9.1 The purpose of this complaints handling procedure is to provide a process for dealing with complaints relating to the activities and decisions taken by priests, volunteers and registered members of the Eparchy.

9.2 All informal and formal complaints must be recorded in the complaints register as soon as it is received and maintained at the office of each parish/mission/proposed mission and kept up to date at all times. The parish priest/mission director/mission coordinator will be responsible for the maintenance and upkeep of the register.

9.3 A complaint must be made no later than 3 months after the date of the event occurred unless otherwise specified in the Canon Law.

9.4 Complaints against priests and the election of parish council members

Any complaints about a Priest of the Eparchy or the conduct of *Palliyogam* (*Pothuyogam & Prathinidhiyogam*), shall be forwarded in writing to the Eparchial Bishop (bishop@csmegb.org).

Upon receiving the complaint, the bishop's office shall make an entry in the complaint register and issue acknowledgment to the complainant within 15 working days.

The bishop will then constitute an Enquiry Committee consisting of at least 3 members. This committee will conduct formal interviews with the complainant and all the parties who might be directly and indirectly connected to the complaint. Detailed statement from the witnesses shall be recorded, as per the demands of the enquiry.

The bishop's office will endeavour to get back to the complainant with a definitive reply within 45 working days. Where this is not deemed possible, for example, due to delays in enquiry, a progress report shall be sent to the complainant, along with an indicative timeline for a definitive response. The response letter shall include (but not limited to):

- What has been considered as part of the complaint?
- What records/evidence has been assessed as part of the investigation?
- The agreed or proposed actions to resolve the problem, along with timescales for completion.
- Whether the complaint is upheld, partially upheld or not upheld.

(A flow chart of the complaint handling process can be found at the end of this document).

10. Informal complaints

An informal complaint, which may be made orally or in writing, is likely when someone tells parish priest/mission director/ mission coordinator that they are not happy with any ecclesiastical matters. However, this may not be serious enough to be a formal complaint. The person making the complaint may have no wish to invoke formal procedures. However, the complaint received should be taken seriously and dealt with promptly by the person who receives it, since delay can often aggravate a problem.

The complainant may be given an explanation about the future actions based on this complaint. An offer to meet and discuss the complaint may be helpful, and it might be advisable to arrange such a meeting in the presence of a third party (who should of course be acceptable to both the person handling the complaint and the person making the complaint).

The parish priest/mission director/mission coordinator must resolve the informal complaint quickly and provide an informal response within 30 working days. This can be done by in person, through email or telephone and doesn't require a formal written letter.

Details of the resolution need to be recorded in the complaints register as appropriate.

If the complaint cannot be resolved under the informal process, or the nature of the complaint is not suitable to be dealt with under the informal process, please follow the section – Formal complaints.

11. Formal complaints

Formal complaints, in contrast to informal complaints, must be made in writing to the appropriate people as illustrated in the flow chart.

12. Receiving complaints (informal or formal)

Complaints may arrive through the parish priest/mission director/ mission coordinator. The priest should record the details of the complaint in the complaint register maintained at his office. This is irrespective of whether the complaint is formal or informal. The following details may be collected initially if the complaint is received through telephone or face to face.

- A clear statement of what their complaint is about
- Find out whether they would like to treat this complaint as a formal or informal complaint.
- Record the date of the complaint received.
- record the complainant's personal details such as name, address, telephone number, email address etc.

- details about the complaint (when, where, what happened etc.)
- tell the complainant that we have a complaints policy & procedure and if needed a copy of the same can be given to the complainant for reference.
- tell the complainant what will happen next and how long it will take; and
- Where appropriate, ask the complainant to send a written account by post or by email so that the complaint is recorded in the complainant's own words.

13. Acknowledging a complaint

Where an informal complaint cannot be resolved at the first point of contact, or where concerns are reported in writing these will be acknowledged within 15 working days. Acknowledgements can be done through a telephone call or a face-to-face discussion however, for formal complaints, acknowledgements must be provided in writing either by letter or e-mail

13.1 Acknowledgements whether verbal or in writing will focus on:

Agreeing on the scope of the complaint, who will handle the complaint, time scales for responses and actions that can be taken to resolve the complaint.

14. Resolving complaints - formal – Stage One

There are two stages to the formal complaint process.

14.1 The parish priest/mission director/mission coordinator who receives the complaint shall constitute an Enquiry Committee comprising of the parish priest/mission director/mission coordinator, one of the *Kaikkarans* and Headteacher (if unwilling or not available, the Assistant Headteacher). The Enquiry Committee should be presided by the priest and one of the other two members of the Enquiry committee shall act as notary. The Committee needs to interview both the complainant and the respondents or whoever directly or indirectly connected with the particular complaint whatsoever. In addition, if available, statements from witnesses need to be collected, as appropriate.

14.2 The Enquiry Committee will prepare an enquiry report with their findings and recommendations.

14.3 The priest/mission director/mission coordinator must ensure that the complainant should receive a definitive reply within 30 working days after the acknowledgement. If this is not possible – because for example, an investigation has not been fully completed – a progress report should be sent with an indication of when a full reply will be given.

14.4 Whether the complaint is upheld or not, the reply to the complainant should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

14.5 The response letter will normally explain:

- What has been considered as part of the complaint?
- What records / evidence has been assessed as part of the investigation?
- The agreed or proposed action to be taken to resolve the problem
- Time scales where actions are required.
- whether the complaint is upheld partially upheld or not upheld

14.6 Once a complaint has been responded to, this will remain open for up to 10 working days to allow the complainant to respond to the proposals or to request escalation to the next stage. If request for escalation is not made within 10 working days, then the complaint will then be closed. This information should be included in the response letter.

15 Resolving complaints – Formal - Stage Two

15.1 If the complainant feels that the complaint has not been satisfactorily resolved at stage one, they can request that the complaint is reviewed at stage 2. At this Stage, the complaint will be passed to the bishop by the priest from the parish/mission/proposed mission.

15.2 The request for stage 2 review should be acknowledged within 15 working days of receiving it by the bishop's office. The acknowledgement should say what will be considered as part of the investigation and when a response will be provided. This will also invite complainants to set out any additional information they feel has not been considered in stage 1 and to explain what they are looking for to resolve the complaint.

15.3 The bishop will constitute an Enquiry Committee consisting of at least 3 members. If needed, in extraordinary circumstances, it is the discretion of the bishop to appoint more than 3 members to the Enquiry Committee, however, the number of members should be in odd numbers. The Syncellus in-charge of the region would be the de-facto chair of the meeting and Regional Coordinator will be a member of the commission. One of the members will take the minutes of the proceedings. The Enquiry Committee needs to interview both the complainant and the respondents or whoever directly or indirectly connected with the particular complaint whatsoever.

15.4 The Enquiry Committee will prepare an investigation report with their findings and their recommendations and submit to the bishop.

15.5 Ideally, complainants should receive a definitive reply within 45 working days after the acknowledgement. If this is not possible because, for example, an investigation has not been fully completed, a progress report should be sent with an indication of when a full reply will be given.

The response letter will normally explain:

- What has been considered as part of the complaint?
- what records / evidence has been assessed as part of the investigation?
- The agreed or proposed action to be taken to resolve the problem.
- Time scales where actions are required.
- whether the complaint is upheld partially upheld or not upheld

15.6 Once a final response has been issued, complaints will remain open for 10 working days to allow the complainant to respond to the findings and to raise any further comments about the complaint. After this time the complainant will be informed that the complaint has been closed.

15.7 The decision taken at this stage is final, unless the bishop decides, it is appropriate to seek external assistance.

15.8. Responses

All formal complaints responses should be written using the standard Eparchial templates and be reviewed by an appropriate person before it is sent out.

16. Monitoring and learning from complaints

Complaints are to be reviewed annually to identify any trends which may indicate a need to take further action.

17. APPROVALS & REVIEW

This policy was approved by the Eparchial Bishop on: **27 February 2023.**

The next review is due on or before: **27 February 2025.**

Appendix -1

Ecclesiastical Complaint Handling Flowchart – CSMEGB

