Maitland Evangelical Church Policy
Complaints Policy

1. Background

The Bible describes the church as a body, made up of many different parts that each play their role in the building up of the church[1]. Although we are different individuals, we are united under the headship of the Lord Jesus Christ[2], and called to love one another and consider the needs of others before ourselves[3]. However, being made up of different people will mean there will be times we experience conflict and may sin against one another.

The Bible provides some principles to follow in these situations. Colossians 3:12-14 says, 'Therefore as God's chosen people, holy and dearly loved, clothe yourselves with compassion, kindness, humility, gentleness and patience. Bear with each other and forgive one another if any of you has a grievance against someone. Forgive as the Lord forgave you'.

We adopt these principles of gentleness, forgiveness and peace, even as we deal with sin in the church. At the same time, we acknowledge the importance of holding one another accountable for our conduct as we commit to living holy and godly lives which honour God and honour one another[4].

We may benefit from the help of others in the church to confront sin or resolve conflict. Jesus himself provides a guide for a hierarchical approach to confronting sin in Matthew 18:15-17: "If your brother or sister sins, go and point out their fault, just between the two of you. If they listen to you, you have won them over. But if they will not listen, take one or two others along, so that 'every matter may be established by the testimony of two or three witnesses.' If they still refuse to listen, tell it to the church; and if they refuse to listen even to the church, treat them as you would a pagan or tax collector".

2. Purpose

Volunteers and staff at MEC agree to adhere to the MEC Code of Conduct[5], which describes the minimum standard of appropriate and expected behaviour. For the purposes of this policy, a complaint is defined as an expression of dissatisfaction related to a breach of the MEC Code of Conduct by a volunteer or staff member.

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[1] 1 Corinthians 12:12-20
[2] Ephesians 1:22-23
[3] Philippians 2:1-5, John 13:34-35
[4] Galatians 6:1, Ephesians 4:1-3, 2 Peter 3:11, Titus 2:11-15, 1 Timothy 5:17-20
[5] The MEC Code of Conduct is available on the church website at https://maitlandchurch.org/safeministry.

This policy aims to provide a clear and accessible process to address such a complaint in a fair and effective manner, moving from informal to formal complaints management procedures.

3. Scope

This policy applies to all staff (paid and volunteer) and non-staff volunteers at MEC. A complaint can be made under this policy by anyone connected or not connected with MEC, including members, visitors or the general public.

This policy applies specifically to behaviour that is in breach of the MEC Code of Conduct. A complaint made under this policy should be formally submitted within 12 months of the date of any alleged breach of the code.

This policy is not intended to manage complaints relating to reportable conduct, including accusations of abuse, criminal activity, or threats to the safety of children and vulnerable people. These are covered by the MEC Safe Ministry Incident Response Process[6] and should be reported to a Safe Ministry Supervisor or relevant law enforcement agency as appropriate. MEC will at all times comply with our mandatory reporting requirements under law.

This policy does not apply to interpersonal conflict where there is no clear breach of the Code of Conduct. For such issues, the MEC Conflict Resolution Guide should be consulted.

Concerns and matters outside these areas are considered to be feedback, and should be raised informally with the team leader or staff member responsible for the area to which the feedback applies. If you are unsure who would be best to contact, please direct your feedback to the church office[7].

If the feedback is a concern related to a person's suitability for ministry at MEC in the context of their character or behaviour, but there has been no actual breach of the Code of Conduct, you will be encouraged to place your concerns in writing and e-mail them to the MEC Safe Ministry Representative (standards@maitlandchurch.org) as part of documenting and responding to your feedback informally.

[6] The Safe Ministry Incident Response Process can be found at https://maitlandchurch.org/safeministry.
[7] The church office may be contacted by e-mail (admin@maitlandchurch.org) or phone (02 4934 7203).

4. Definitions

Feedback – Opinions, comments and expressions of concern related to MEC that do not involve breaches of the MEC Code of Conduct or safe ministry policy.

Conflict – An unresolved dispute between MEC church members. See the MEC Conflict Resolution Guide for advice in this area.

Complaint – An expression of dissatisfaction regarding the behaviour of an MEC volunteer or member of staff that is in breach of the MEC Code of Conduct. A complaint may be informal or formal.

Reportable conduct – Matters related to safe ministry that must be legally reported, including child abuse or neglect, criminal activity or other serious misconduct. This is covered under the MEC Safe Ministry Policy and Incident Response Process.

Complainant – The person/s making a complaint.

Respondent – The person/s responding to a complaint made against them.

5. Policy

a. Guiding Principles

In managing complaints, the following principles will be adhered to:

- *Fairness* – MEC will address complaints in an equitable and impartial manner, taking into consideration what is best for all parties involved and the church. The principles of procedural fairness are to apply to the way every complaint is managed. These principles include:
    - Appropriate care arranged for complainants, victims of alleged wrong behaviour and respondents, e.g. pastoral care, the availability of support persons[8], counselling, etc. if required.
    - Providing details of the allegations to the respondent, and providing them with an opportunity to respond in writing and/or in person.
    - Considering all relevant information and ensuring the outcome is supported by evidence[9].

[8] A support person must not be a person who is or could be involved in the investigation. In this circumstance, their role is to provide support and not to be an advocate.
[9] Findings are to be based on the civil standard of proof which means that the decision maker must be reasonably satisfied on the balance of probabilities that what is alleged did happen.

- Ensuring those handling the complaint have no actual or perceived conflict of interest related to the complainant or respondent.

- *Responsiveness* – MEC will seek to address complaints in a timely manner, keeping the involved parties informed of the process, expected time frames for our actions, and the progress of the complaint. Fairness requires that investigations be carried out without undue delay.

- *Confidentiality* – Details of the complaint will be kept strictly confidential as far as possible. All parties involved are expected to maintain confidentiality, limiting discussions to those who need to be involved to facilitate complaint resolution and for providing pastoral care. Any breach of confidentiality by parties involved in the investigation may result in disciplinary action[10]. Once the complaints process is completed, the records will be stored securely by the Senior Pastor, safe ministry representative or secretary of the administration committee.

- *Free of repercussions* – MEC does not tolerate the victimisation of any person as a result of raising a complaint in good faith or participating in an investigation. Any such victimisation behaviour may result in disciplinary action[10]. MEC will take all reasonable steps to ensure that people making a complaint are not adversely affected because a complaint has been made by them or on their behalf.

b. Informal Complaints Process

Following the example in Matthew 18, MEC encourages people to manage complaints at an individual and informal level where possible, directly with the person/s concerned. Please refer to the **MEC Conflict Resolution Guide** for an informal process to follow.

If there is no satisfactory resolution after following this informal process, the complaint can be escalated and formalised in accordance with this policy, to the relevant level of church leadership depending on whom the complaint is directed towards.

c. Formal Complaints Reporting Process

i. Formal Complaints Reporting Structure

The **MEC leadership structure**, in order of increasing seniority, is as follows:

- Team Member
- Team Leader
- Ministry Supervisor

[10] See section 5.e. of this policy for information regarding disciplinary action.

- Associate Pastor
- Senior Pastor
- Administration Committee
- Board of Reference
- Fellowship of Independent Evangelical Churches (FIEC)

A formal complaint can be lodged with and managed by those at the Ministry Supervisor level of the leadership structure and higher. As a general principle, a formal complaint should be lodged with the leader or committee that is directly senior in the leadership structure to the respondent (hereafter referred to as the '**relevant leader**'), provided there is no apparent conflict of interest. This is outlined in the following process:

LEVEL A – Complaint regarding a fellow team member or team leader
If you believe the Code of Conduct has been breached by a fellow team member, speak to your team leader first to determine if the complaint can be managed informally. If it is unable to be resolved informally or if the complaint is regarding a team leader, speak to the relevant ministry supervisor, who can assist with lodging a formal complaint as required[11].

LEVEL B – Complaint regarding a ministry supervisor
If you believe the Code of Conduct has been breached by a ministry supervisor, contact the pastor responsible for that ministry area.

LEVEL C – Complaint regarding a pastor or administration committee member
If you believe the Code of conduct has been breached by a pastor, speak to the Senior Pastor. If the complaint involves the Senior Pastor, contact the administration committee, who will also decide if further input is needed, e.g. the Board of Reference or the FIEC National Director (if the FIEC Code of Conduct[12] has been breached). If the complaint involves an administration committee member, speak to the Senior Pastor or the Board of Reference.

At all levels, any conversations that take place regarding the lodging or managing of a complaint should be documented by the relevant leader. This information may be used to assist if an investigation is required.

ii. Lodging a Formal Complaint

After contacting the relevant leader, further guidance may be provided to attempt to resolve the complaint informally (see section 5.b.). If a formal complaint is required, a

[11] Contact the MEC church office if you are unsure who the appropriate ministry supervisor is.
[12] The FIEC Code of Conduct can be found at https://www.fiec.org.au/complaints

written and signed **Formal Complaint Notification Form**[13] must be completed and submitted to the relevant leader. The following information is required:

- Complainant's name and contact details, and the nature of the relationship with the respondent;
- Name of the person that is alleged to have breached the Code of Conduct;
- Specific section(s) of the Code of Conduct that is alleged to have been breached;
- Details of the alleged breach, including when, where and how the breach is alleged to have occurred; and
- Any independent evidence of or witnesses to the alleged breach.

The form should be e-mailed or mailed to the relevant leader, with a copy to the Senior Pastor. If the complaint involves the Senior Pastor, then a copy should be forwarded to the secretary of the administration committee instead.

d. Formal Complaints Response Process

i. Step 1: Receiving a formal complaint

Once a complaint is formally submitted in writing to the relevant leader, they should promptly acknowledge that they have received the complaint notification, preferably within 5 working days. Complaints will be assessed and prioritised according to the urgency and seriousness of the matters raised.

ii. Step 2: Investigating a formal complaint

The relevant leader will organise for the complaint to be investigated. MEC encourages joint decision making when managing complaints. This will involve appointing a primary leader designated with the responsibility of managing the complaint (which may or may not be the relevant leader), who may work with a team of leaders to investigate and respond. This constitutes a **complaints committee**.

The committee may also seek input from other supervisors, pastors, the Safe Ministry Representative or members of the administration committee, to support the decision-making process. Depending on the nature of the complaint, external expert input and legal advice may also be sought.

All meetings, consultations and conversations that take place in relation to investigating the complaint should be documented, and this information will remain confidential, with records stored securely by those on the committee.

[13] See Appendix A

Upon receiving a complaint, the complaints committee will consider whether the complaint is, prima facie:

- A matter of substance, i.e. it describes specific conduct, an incident or a pattern of conduct that can be independently verified; and
- A matter of consequence, i.e. it describes specific conduct, an incident or a pattern of conduct that, if substantiated, would constitute a clear breach of the Code of Conduct and which would have consequences for the respondent and MEC.

If the committee determines that the complaint is not prima facie a matter of both substance and consequence, it may dismiss the complaint and advise the complainant of its decision. However, if the committee determines that the complaint is prima facie a matter of both substance and consequence, it will initiate an investigation into the matter.

If an investigation is commenced, the committee will inform the respondent of the complaint and allegations made against them. They will then proceed to gather evidence from the complainant, respondent and third parties as required, in order to thoroughly investigate the complaint. They may also engage an external party or experienced investigator to conduct or assist with the investigation.

The committee may decide that the respondent should step down from their ministry roles, or be supervised, during the period of investigation.

The committee will aim to complete this process within 6 weeks, and will inform the parties involved if it is anticipated to take longer. Where possible, the committee will work with both the complainant and respondent during this process, with the aim of achieving a satisfactory resolution for both.

iii. Step 3: Decision regarding the formal complaint

The complaints committee will determine, on the balance of probabilities, whether the allegations are:

- Sustained (evidence supports a finding that the alleged conduct did occur)
- Not sustained (insufficient evidence to establish whether the alleged conduct did or did not occur)
- False (evidence supports a finding that the alleged conduct did not occur)
- Vexatious (evidence supports a finding that the allegation was made without substance and with the intent of being malicious or to cause distress to the respondent)

- Misconceived (evidence supports a finding that, even though the allegation was made in good faith, it was based on a misunderstanding of what actually occurred)

Where possible, the complaints committee will seek to come to a consensus regarding their decisions and recommendations. If there is disagreement that is unable to be resolved, the final decision maker will be the Senior Pastor, or in the case of a conflict of interest here, the administration committee (excluding the Senior Pastor).

The final outcome will be communicated to the complainant and respondent. Where findings of a Code of Conduct breach have been made, the committee will communicate their recommendations, including any applicable disciplinary action.

iv. Step 4: Accepting the final decision

Whatever the outcome, the complainant should acknowledge that their complaint has been taken seriously and accept the decision of the complaints committee. However, if either involved party is unable to accept the outcome, they may appeal this decision by completing a new Formal Complaint Notification Form, and escalating the complaint to the next appropriate level in the MEC leadership structure (see section 5.c.i.). This should be lodged within 2 weeks of receiving the decision.

Complaints below the level of the senior pastor can be resubmitted until the level of the administration committee before the complaint will be considered closed. Complaints at the level of the senior pastor and administration committee can be resubmitted until the level of the FIEC before the complaint will be considered closed.

MEC is under no obligation to consider and investigate a complaint any further, once all avenues under this policy have been exhausted. The complainant may pursue the dispute with a relevant external agency, e.g. the Australian Charities and Not-for-profits Commission (ACNC), or seek recourse under civil law.

e. Vexatious Complaints

This policy should not be used by any person to make vexatious complaints. Vexatious complaints include complaints that are an abuse of the process set out in this policy; submitted or continued without reasonable grounds; or designed to harass, annoy, or cause delay or detriment. If the complaints committee determines that a complaint submitted under this policy is vexatious, it may dismiss the complaint at the first instance without further consideration. It may also recommend disciplinary action against the complainant.

f. Disciplinary Action

Where it has been determined that a complaint made under this policy is substantiated on the balance of probabilities, and a finding of an alleged breach of the MEC Code of Conduct is sustained, MEC may take disciplinary action against the respondent that it determines to be most appropriate in the circumstances. This also applies to breaches of items in this policy that have been identified as potentially warranting disciplinary action.

Any actions recommended will be determined with the principle of supporting the person who has made the breach to genuinely repent of their sin, to both God and those they have impacted, and to be supported in modifying their behaviour.

Examples of disciplinary action may include, but are not limited to:

i. Recommending that the respondent:
   a. Undergoes counselling, specific training, coaching or mentoring
   b. Offers a written apology to the complainant for their conduct
   c. Offers an explanation or some form of restitution to the complainant
ii. Recommending that the complainant and respondent undergo mediation in relation to the complaint.
iii. Issuing a verbal warning, a written initial warning, or a final written warning.
iv. Removal of the respondent from ministry at MEC.
v. Removal of association membership where the respondent is an MEC association member.
vi. Where the respondent is a staff member, actions up to and including suspending or terminating their employment.
vii. Where the respondent is the Senior Pastor, the administration committee may consider any appropriate action in accordance with the MEC Incorporated Rules (Constitution).

g. Costs

MEC is not responsible for any financial costs associated with professional counselling, legal assistance, or other external advice or services that are recommended or used by any parties in connection with a complaint.

While MEC may make determinations and recommendations, and also take appropriate disciplinary action, it will not award nor be responsible for any financial compensation to either party in relation to a complaint made under this policy.

6. Further Information

Related Policies and Procedures

MEC Code of Conduct
Safe Ministry Policy & Safe Ministry Incident Response Process
MEC Conflict Resolution Guide
FIEC Complaints Policy

References

ACNC Complaints Handling: Model Policy and Procedure. https://www.acnc.gov.au/tools/templates/complaints-handling-model-policy-and-procedure.
FIEC Complaints Policy. https://www.fiec.org.au/complaints.
Coast EC Grievance Policy. https://www.coastec.net.au/policies-legal.
Cross & Crown Complaints Policy.
Salt Church Complaints Policy. https://www.saltchurch.info/constitution.

6. Review Log

Review Date	Reviewed by	Summary of Changes
31/7/2025	Admin Committee, Pastors	No changes made

APPENDIX A: Formal Complaint Notification Form

Please read the **MEC Complaints Policy** before completing this form, to ensure this is the appropriate pathway for your complaint and to identify the relevant leader to lodge this form with. Please forward a copy of the completed form to the Senior Pastor or secretary of the administration committee.

YOUR DETAILS	
Name:	
Address:	**Phone:**
	E-mail:

YOUR COMPLAINT
Name of the person who is the subject of your complaint:
Your relationship with this person:
Specific section/s of the MEC Code of Conduct alleged to have been breached:
Details of your complaint: *Please describe your complaint in as much detail as possible, including:* • *Details of what happened, who was present, when (dates and times) and where* • *Contact details or statements of any witnesses* • *Explain what impact this conduct had or that you may fear will have upon you or others* • *Provide any additional information that you believe might be helpful*

Details of your complaint, continued:		
Have you tried to resolve this issue informally?	YES	NO
If yes, please provide details of what attempts have been made to resolve this complaint informally. If no, please explain why you have not tried to resolve this issue informally.		
What would you like to see happen as a result of lodging this complaint?		
Signature:	**Date:**	