

ST MARYS COLLEGE OSCOTT CIO



Complaints Policy 2025

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1. Introduction

1.1 St Mary's College, Oscott CIO (Oscott College) is a registered charity: Charity Number 1172979 and as such is committed to being open, honest and accountable. Oscott College (the College) encourages an open and free culture in its dealings with and between collaborating organisations, visitors to the college, those using the services of the college as well as those living, volunteering and working at the college.

1.2 Our Policy at the College is to:

- Provide a fair procedure which is clear and easy to use
- Be open about how we will manage complaints
- Make sure all complaints are responded to and resolved in a fair and timely manner
- Treat all information sensitively, involving only those that need to be involved
- Review our policies and practices, in light of the complaint so that we can improve and prevent a re-occurrence of the issue

1.3 When the College receives a complaint, the following procedures will be followed, to ensure the effective and efficient management of the complaint. The procedure for receiving and managing complaints has been divided into two distinct areas; internal and external complaints. Each area has then been subdivided into complaint categories.

2. How to Raise a Complaint

2.1 All complaints should be directed to the Rector's office, who will request a complaint proforma is completed. The complaint proforma template (see appendix 1) and the Complaints Privacy Notice (see appendix 3) referred to in it are available from our website, www.oscott.org. The complaint should include sufficient detail to enable an investigation to be commenced (date, time, location of the issue, contact details of witnesses, staff members involved etc). This information should also include the complainant's name, address and contact details (phone and / or email address). The completed complaint proforma should be returned to the Rector's office.

The Rector's office can be contacted either via email complaints@oscott.org, phone 0121 321 5032 or by post to – Rector's Office, St Mary's College, Chester Road, Sutton Coldfield, B73 5AA.

2.2 All received complaints will be logged onto the complaints spreadsheet and distributed for investigation in accordance with the Investigation Table, outlined in section 5.

2.3 All received complaints will be acknowledged in writing within 7 days, if feasible, confirming the name of the person(s) undertaking the investigation into the complaint, and when the result of the complaint will be communicated. If there is insufficient information to investigate the complaint fully, the investigating team may ask for additional information to be forwarded to them. The investigation will only commence once the additional information requested has been received.

2.4 The result of any investigation will be communicated to the complainant in writing within 14 days of the acknowledgement of receipt, except in exceptional and complex circumstances, when an additional 14 days could be requested by those investigating. The concluding letter will state whether the complaint has been dismissed or upheld, then an outline of further action to be taken by the College (if any) will be included. If the complaint has been dismissed the complainant will be notified of the right of appeal.

3. Complaints which are covered by other policies

3.1 Safeguarding policy

If a concern is related to or includes a concern that a child, or vulnerable adult, has been harmed or is at risk of harm, the safeguarding policy will then be followed. The safeguarding representative can be contacted either by email safeguarding@oscott.org. The Archdiocese of Birmingham's safeguarding team can be contacted by email, safeguarding@rcaob.org.uk, or by phone 0121 230 6240.

3.2 Whistle Blowing Policy

All complaints, which are raised and concern suspected misconduct; the breach of a legal obligation; miscarriage of justice; danger to the health and safety of any individual(s); damage to the environment or a deliberate attempt to conceal any of the above will be dealt with by the Whistle Blowing Policy. In the first instance, all whistleblowing concerns should be emailed to: whistleblowing@oscott.org or write to Whistleblowing, c/o Bursar's Office, Oscott College.

4. Complaint Investigations

4.1 Once the Rector's office has received the completed complaint proforma, an investigator will be assigned - please refer to section 5 – Investigation Table.

Complaint investigations will involve interviewing those involved and securing evidence. It may also be necessary to refer the issue to a third party, for example auditors, for their opinion or further investigation. Those required to contribute to the investigation will be expected to comply fully with all requests.

4.2 Complaint investigations may uphold or dismiss the complaint, depending on the evidence brought. If the investigator upholds an internal and/or external complaint, then this may lead to disciplinary action being taken against those employees involved. If the complaint is raised and upheld against an external lecturer, then the Director of Studies would refer to the external lecturer's expectations code. If the complaint is raised against a contractor, then the matter would be raised with the manager of the contracting company.

4.3 If a complaint is raised by a Seminarian regarding their life at Oscott, their placement or their studies, the complaint would be investigated by the Vice Rector

4.4 As a matter of protocol and good practice, after all upheld investigations have been concluded a review of working practices and policies will take place to ensure that the risk of a similar complaint is reduced. Those assigned to review the working practices and policies are the College Rector, Vice Rector, and College Bursar. The written review report will be completed within 14 days, if feasible, after the conclusion of the investigation. This report would then be shared with those holding responsibility for the area which received the complaint.

5. Investigation Table

	Internal Complaint	External Complaint
Rector / Chair of Trustees	Chair of Trustees (see Appendix 2)	Chair of Trustees (see Appendix 2)
Vice Rector	Rector	Rector
Tutor / Teaching Practices	Vice Rector	Vice Rector
Financial Malpractice	Vice Rector	Vice Rector
Catering & Accommodation	Vice Rector	College Bursar
Grounds & External areas	Vice Rector	College Bursar
Cemetery	Vice Rector	College Bursar
Hospitality	Vice Rector	College Bursar
Other	Vice Rector	College Bursar
Formation Staff	Vice-Rector / Safeguarding Representative	Vice-Rector / Safeguarding Representative
Office Holder	Vice Rector	Vice Rector
Seminarian – Life & Oscott, Placement or Studies	Vice Rector	Vice Rector
Seminarian – Safeguarding Issue	Rector / Safeguarding Representative	Rector / Safeguarding Representative

6. Appeals Procedure

If the complainant feels that, the complaints policy has not been followed or is concerned by the appropriateness of the decision, then they may lodge an appeal. Any lodged appeal must be made in writing, addressed to the Rector's Office, and should include an explanation of why the appeal is being made, including further evidence to support the complaint. The appeal investigation would need to be concluded within a 7-day period, if feasible, from the receipt of the appeal. The complainant will be notified, in writing, of the appeal outcome within 14 days of receipt of the appeal, where practicable. All appeal investigations are to be completed by the Rector's Office. There is no further review after this stage of the complaints' procedure.

7. Retention of Investigation Reports

7.1 All investigation records including statements, notes and evidence, will be retained for a period of 26 weeks, in accordance with the privacy notice, from the date of the outcome letter.

8. Related Documents

- Grievance and Disciplinary Policy (for employees)
- Safeguarding Policy
- Privacy Notice
- Complaints form

9. APPENDIX 1- Complaint Proforma Template

Complaint proforma Template	
Internal Reference No:	
Title of Complaint	
Date of Complaint	
Your Name:	
Address	
Postcode	
Telephone Number	
Email Address	
Details of the Complaint: Please include as much detail as possible:	
Nature of the Complaint	
Location	
Names of those involved (if known)	
Any additional information	

All data provided will be processed in accordance with Oscott's GDPR Policy and Privacy Notice (available on the College website, www.oscott.org, or from privacy@oscott.org).

Once completed please forward to the rector's office via email attachment to **compaints@oscott.org**, or via post for the attention of the Rectors Office, St Mary's College, Chester Road, Sutton Coldfield, B73 5AA.

10. APPENDIX 2 – Procedure for complaints against the Rector

Procedure for dealing with a complaint against the Rector

If a complaint is raised against the Rector, it should be sent to the **Chair of Trustees of Oscott College, Archbishops House, 8 Shadwell Street, Birmingham, B4 6EY**, who will provide a complaint proforma to be completed. The complaint should include sufficient detail to enable an investigation to be commenced (date, time, location of the issue, contact details of witnesses, any other staff members involved etc). This information should also include the complainant's name, address and contact details (phone and /or email address). The completed complaint proforma should be returned to the Chair of Trustees, C/O St. Mary's College, Chester Road, Sutton Coldfield, B73 5AA.

The complaint will be managed in accordance with this Appendix

The investigating team will be appointed by the Chair of Trustees and should consist of two individuals, neither of whom either work for or form part of the College's Trustee Body. The first individual, preferably a cleric, would need a working knowledge of seminaries and their governance- a former Rector of another seminary or a diocesan judicial vicar would be a suitable person. The second person should be an informed lay person.

The investigating team will conduct the investigation by interviewing or gathering information from the person(s) who has made the complaint, the Rector and any other persons pertinent to the complaint. The investigation will be carried out in a timely manner.

The investigating team's report, with recommendations, will be forwarded to the Chair of Trustees of Oscott College who will consider it with at least two other trustees and reach a decision jointly. The Chair of Trustees will share that decision with the person who made the complaint and the Rector. That decision will be final.

11. APPENDIX 3 : Privacy Notice – Complaints

The UK General Data Protection Regulation (UKGDPR) the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) governs the handling of personal data held by organisations and the rights of individuals to access that data. “Personal Data” means information from which an individual can be identified, directly or indirectly.

St Mary’s College Oscott CIO, registered charity no. 1172979, (henceforth referred to simply as Oscott College or the College) collects and processes personal information, or personal data, relating to a complaint for the legitimate business interest of the organisation. The personal information contained within a complaint may be held by the organisation on paper or in electronic format.

Oscott College is committed to being transparent about how it handles personal information, to protecting the privacy and security of personal information and to meeting its data protection obligations under GDPR. The purpose of this privacy notice is to make you aware of how and why we will collect and use personal information when you make a complaint. We are required under the GDPR to notify you of the information contained in this privacy notice.

This privacy notice applies to all those making a complaint to Oscott College.

Data protection principles

Under the GDPR, there are six data protection principles that Oscott College must comply with. These provide that the personal information we hold about you must be:

1. Processed lawfully, fairly and in a transparent manner.
2. Collected only for legitimate purposes that have been clearly explained to you and not further processed in a way that is incompatible with those purposes.
3. Adequate, relevant and limited to what is necessary in relation to those purposes.
4. Accurate and, where necessary, kept up to date.
5. Kept in a form which permits your identification for no longer than is necessary for those purposes.
6. Processed in a way that ensures appropriate security of the data.

Oscott College is responsible for, and must be able to demonstrate compliance with, these principles. This is called accountability.

What is personal data?

Personal data is any information about an individual from which that person can be directly or indirectly identified. It doesn’t include anonymised data, i.e. where all identifying particulars have been removed. There are also “special categories” of personal data, and personal data on criminal convictions and offences, which require a higher level of protection because they are of a more sensitive nature. The special categories of personal information comprise information about an individual’s racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, health, sex life or sexual orientation and genetic and biometric data.

How do we collect your personal information?

The College may collect personal information in a variety of ways. It is collected during the complaint procedure either directly from you or sometimes from a third party.

Your personal information may be stored in different places, including within the complaint record, in other IT systems, such as the e-mail system and egress software.

Why and how do we use your personal information when dealing with your complaint?

We will only use your personal information when the law allows us to. These are known as the legal bases for processing. The most likely legal basis is your consent, which is given when the complaint is made. We may also use your personal information in one or more of the following circumstances:

- where we need to comply with a legal obligation
- where it is necessary for our legitimate interests (or those of a third party), and your interests or your fundamental rights and freedoms do not override our interests.
- enable us to establish, exercise or defend possible legal claims

Please note that we may process your personal information without your consent, in compliance with these rules, where this is required or permitted by law.

Who has access to your personal information and with whom might it be shared?

The investigating team and the appeals team will access your personal information

Your personal information may if appropriate be provided to the College's insurers, or professional advisers acting for the College. It will be shared with the police or other relevant statutory agency if necessary or if your complaint alleges or relates to a possible criminal offence

What types of personal information do we collect about you?

Personal information is any information about an individual from which that person can be directly or indirectly identified. There are also "special categories" of personal information which requires a higher level of protection because it is of a more sensitive nature.

We will only collect and use your sensitive personal information, which includes special categories of personal information when the law allows us to. Where the College processes special categories of personal information i.e. information pertaining to health, it is collected with your explicit written consent, which can be withdrawn at any time. It is entirely your choice whether to provide such personal information.

The College collects, uses and processes a range of personal information about you. This includes (as applicable):

- your contact details, including your name, address, telephone number and personal e-mail address

We may also occasionally use your special categories of personal information, and information about any criminal convictions and offences, where it is needed for the establishment, exercise or defence of legal claims.

How does Oscott College protect your personal information?

The College has put in place measures to protect the security of your personal information. It has internal policies, procedures and controls in place to try and prevent your personal information from being accidentally lost or destroyed, altered, disclosed or used or accessed in an unauthorised way. In addition, we limit access to your personal information to those who have a need to know, in order to perform their job duties and responsibilities as outlined in this notice.

The College also has in place procedures to deal with a suspected data security breach and we will notify the Information Commissioner's Office (or any other applicable supervisory authority or regulator) and you of a breach where we are legally required to do so.

For how long does Oscott College keep your personal information?

The College will only retain your personal information for as long as is necessary to fulfil the purposes for which it was collected and processed, including for the purposes of satisfying any legal, health and safety, reporting or accounting requirements.

The College will generally hold your personal information for the duration of 26 weeks after date of the outcome of the complaint

Your rights in connection with your personal information

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed if your personal information changes, e.g. you change your home address, so that our records can be updated. The College cannot be held responsible for any errors in your personal information in this regard unless you have notified the College of the relevant change.

As a data subject, you have a number of statutory rights. Subject to certain conditions, and in certain circumstances, you have the right to:

- request access to your personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it
- request rectification of your personal information - this enables you to have any inaccurate or incomplete personal information we hold about you corrected
- request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there's no compelling reason for its continued processing, e.g. it's no longer necessary in relation to the purpose for which it was originally collected
- restrict the processing of your personal information - this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
- data portability - this gives you the right to request the transfer of your personal information to another party so that you can reuse it across different services for your own purposes.

If you wish to exercise any of these rights, please contact the Data Protection Office or Vice Rector. We may need to request specific information from you in order to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

If you believe that Oscott College has not complied with your data protection rights, you have the right to make a complaint to the Information Commissioner's Office (ICO) at any time. The ICO is the UK supervisory authority for data protection issues.

Changes to this privacy notice

Oscott College reserves the right to update or amend this privacy notice at any time, including where the organisation intends to further process your personal information for a purpose other than that for which the personal information was collected or where we intend to process new

types of personal information. We will issue you with a new privacy notice when we make significant updates or amendments. We may also notify you about the processing of your personal information in other ways.

Contact

If you have any questions about this privacy notice or how we handle your personal information, please make an appointment to see one of Oscott's Data Compliance Managers, via privacy@oscott.org.

Type of data	Type of processing	Purpose of processing	Legal basis of processing	Type of recipient to whom personal data is transferred	Retention period
Name Address Telephone Number Email address	Information held in hard copy within investigation files and logged in spreadsheets (electronic) Processing on password protected software and restricted computer access to files stored on a secure server	To investigate a complaint and determine a suitable outcome or remedy, and communicate this to the complainant. Storage of investigation results to enable review of policies or to be used in disciplinary action against staff in the light of any complaint being upheld.	This processing is necessary for the purposes of carrying out the complaint's procedure.	Internal: Contact details shared with the investigating officer, and Rector's Office. External: Insurance companies relevant to insurance claims, professional advisers and police or statutory agencies if the complaint alleges or relates to a possible criminal offence	26 weeks after the date of reporting the final outcome. Paper files to be securely destroyed, and electronic files deleted