# Complaints policy GUIDElines for the COMMUNITY OF INTERBEING.

**Part one -** [**Making a complaint**](#_Part_one_-)

**Part two -** [**Managing complaints**](#_Receiving_a_complaint) **within the COI and OI UK.**

**Part three - [Concluding the complaint](#_3__Concluding)**

## **Introduction**

The national and local Sanghas are there to support the work of making Thich Nhat Hahn’s (Thay’s) wonderful, healing teachings available to all who wish to explore and benefit from this practice.

Occasionally someone may come into a sangha or onto a retreat and find it is not what they expected or wanted after all, and feel moved to make a complaint. (Please also see Safeguarding Sanghas - managing mental health issues and challenging behaviours).

 In some cases it can take considerable courage to make a complaint and this should ideally be taken into account.

We also need to be mindful of the fact that some people make complaining a regular part of their lives. It may be part of a deeper problem that can be addressed and thus they also need to be deeply listened to as to why this may happen for them.

## **Part one - Making a complaint**

If you feel that you need to make a complaint within or about the community of Interbeing, there are some points you may wish to consider.

* Is your complaint about an individual, a sangha, a retreat, or another?
* Can you resolve this issue directly with the person, retreat organisers, senior sangha members involved?
* Can you resolve this with the help of someone else supporting you within this context?
* Do you have that support or would you need someone to be appointed as your support i.e. a similar role to a union official or a friend at work?

## Making your complaint

Generally speaking, please follow this procedure:

### Complaint against and individual.

1. Speak to the person directly. Thay offers us the practice of ‘watering the flowers’ of others i.e. acknowledging their positive qualities and actions. It can be very useful to do this first and to try not to blame. It is helpful to use language such as “You did/said this and I felt that” rather than “You made me feel…”.
2. Ask to use a full ‘Beginning Anew’ process if simple discussion does not resolve the issue.
3. Seek the help of another sangha or Order member.

### Complaint against your local sangha.

1. If you are part of a larger sangha that has a core group, raise your issue with the core group and ask for their support
2. If you are part of a smaller sangha ask that the subject be discussed at a sangha meeting. Again, try not to use the language of blame.
3. Ask for help from a local committed practitioner or Order member.

### Complaint about a retreat you are on.

1. Go to the retreat leader or member of the organising team as soon as possible during the event.
2. Share with your dharma sharing facilitator and ask for their support

## Escalating your complaint.

If you are unable to resolve your complaint directly in the manner outlined above then the next step is to contact the Harmony Coordinator (the Trustee with responsibility for safeguarding and complaints). Sylvia Clare is the current post holder. Contact details 01983 537338 email sylvia.clare@btinternet.com.

The Harmony Coordinator will officially receive your complaint and discuss with you how to proceed and the ideal outcome/resolution. With your agreement the post holder will recruit suitable people, with appropriate experience, seniority and skills, to effectively deal with your complaint. The post holder will discuss this with you and keep you informed throughout the process. The post holder is also responsible for keeping records of complaints and resolutions for future reference if it should ever be needed. The post holder will be responsible for making sure that the complaint is dealt with to a point of conclusion.

## **Part two - Receiving a complaint**

**Key points**:

* Receiving a complaint – what to do with it - Confidentiality - The law
* Types of complaint
* Individual complaints
* Complaints within a local or regional sangha
* Receiving a complaint on behalf of the organisation
* Notification of the complaint
* Resolution attempts and options
* Sangha outcomes
* Receiving a complaint from the public
* Conclusions
* Acknowledgements

### **Overview of procedures**

Receiving a complaint – self care – strategies- managing your own situation

What type of complaint i.e individual, local sangha, national sangha, public?

What is the level of seriousness, are there legal implications, what are the practical and personal implications?

What does the complainant hope to see as an outcome / resolution?

Confidentiality agreements and record keeping

Is formal notification of the complaint necessary – local or national?

Can it be dealt with easily / locally or does it require deeper investigations?

Identify resources likely to be needed e.g. legal advice, support team

Strategies to be employed – deep listening, beginning anew, legal involvement, DC involvement

Resolution achieved – yes - send all records and reporting to central records

 No - what else is possible, is it resolvable

### **Receiving a complaint - general points.**

**Self-care** - Making, receiving or being the focus of a complaint can be very stressful for all concerned and at no time should anybody be left out of the loop concerning themselves. Support should be available for all those involved, preferably an experienced team of back up support made available. Establishing agreed boundaries for confidentiality and management of the complaint and all parties should be the first step in all situations and full notifications of all parties to be involved.

**First person response** - Being the person who receives the complaint can be extremely stressful and such situation can sometimes develop beyond what was initially considered likely. Please make a record of all details for your own protection and for the safe management of this situation, even if you think this is not necessary, it may be helpful for someone else in the future as a guidance resource. If you can, find a senior or experienced sangha or order member to support you through this process, or let someone know that this is happening. Do not try to struggle through alone, as it can cause further difficulties down the line.

When considering points of view in a complaint it is helpful to reflect upon the story of the three blind men and the elephant as a way of remaining impartial as appropriate.

**Confidentiality** - When a complaint is made it can be a very stressful situation for both complainant and those being complained about, either organisation or individual. Confidentiality can be an issue if the original complaint is made in ‘confidence’. For instance what is the purpose of the complaint if it is in ‘confidence’. This kind of approach can be a form of tactical game playing of building solidarity against another person who they feel offended by rather than a genuine complaint that can be resolved. It is important to ascertain this difference of approach in the early stages so that confidentiality is not used a weapon against another party.

 It is crucial that all parties are listened to attentively and supported in all parts of this process.

Sometimes people want to talk widely about their issues and make it known far and wide what they feel is happening but this may make their own situation untenable. It is best policy to let only a few people know what the problem is and to keep it discreet while it is being investigated. This is especially significant in cases of bullying or sexual harassment.

Those who have been asked to investigate or address a problem should be aware that they are not in a position to ‘share’ unless it is to seek guidance from others more senior and experienced for how to make progress. A clear record must be made of who is included and why as part of the complaint documentation.

Those who break confidentiality may themselves become the recipient of a complaint in such circumstances.

### **Public Liability insurance**

If you are not automatically covered by the national policy then please investigate taking out PL insurance for your own safety. Do check in advance before issues arise.

### **The Law**.

Some complaints will have more serious potential outcomes than others. An assessment of the level of seriousness must be taken before further action. If in doubt seek advice from appropriate quarters like advice helplines, disclosure services etc.

We may in some circumstances need to be aware of the Law i.e. laws on Equal Opportunities, Disabilities, Stalking and Harassment, Sexual Offences and any other possible issues that may occur before proceeding. Most of this information is best found online for the most current and up to date details.

### **Types of complaints**

Complaints roughly fall into four categories:-

* Complaints about how the order or national sangha organises and manages itself and its processes and events
* Complaints about an individual in a sangha or on a retreat
* Complaints on behalf of another i.e. a child or family member who has expressed dissatisfaction in some way.
* More serous complaints of sexual harassment or bullying

Some examples might be:-

* The accommodation is not what I needed it to be.
* This is not what I thought Buddhists did.
* An order member showed an emotional response which I thought you were all supposed to have mastered
* You are not organised as I think you should be, you should take this into consideration XYZ.
* And on family / children’s retreats-
* My child wanted a play scheme and not be taught mindfulness at the children’s retreat.
* My child has been bullied by other children on the retreat

### Through deeper listening practices we may be able to discern other issues:-

* I am frightened, I can’t cope with my life, don’t know how to help myself and want you to fix it for me
* You are not meeting my needs, I expected more / different / better from this order
* I want you to be responsible for my inner turmoil and problems, not me
* I am trying to please my child and they are not responding to what you offer so it must be you that is wrong.

### **Complaints about an individual**

Complaints about an individual will vary in severity between minor disputes and serious issues like harassment or stalking. This can be the most difficult type of complaint to deal with as it may rely on word against word. Ascertaining the level of severity is essential and engaging where necessary outside agencies which have greater investigatory powers than we do. If it appears to be resolvable within the community, deep listening is the best place to start, followed by discussion about what the resolution might be expected to look like and if this is practical within the paradigm of COI practices.

###  **Within the Sangha**

In most cases this is unlikely to arise since we are all practising the wonderful teachings of Thây, which include deep listening, mindful speech, compassion and openness. However sometimes someone may come into a sangha and problems may arise. Many of these issues are likely to also be included under the *Safeguarding Sanghas* policy document. Please look at the relevant sections if you are making or receiving a complaint in the first instance. If you are happy that it is not covered or needs to be addressed in light of both policies then please follow these suggested guidelines.

### **Receiving a complaint on behalf of the Order/ national sangha.**

Deep listening to the complainant may make it unnecessary to take it further if the person listening can use the complaint as an example of how to practice more deeply for the complainant themselves. There is no wrong or right point of view in the COI; there are just different and valid points of view, and opportunities to practice more deeply. Sometimes the complainant may be dissatisfied with this approach and seek more in depth discussion. A senior sangha member can be approached, either locally or nationally, and asked to intervene.

However the complaint must be listened to in terms of certain legal requirements. Many of these may occur under the safeguarding policies and it would be recommended to spend time cross referencing these. They may also occur under equality of opportunity or access. For instance sometimes people with disabilities or conditions which are less visible can be misjudged and although they may represent challenges to Order Members or the wider Community of Interbeing this must be accommodated under the law of Disability Equality. This law applies to all organisations in the UK and it is easy enough to understand the central premise: that the allowances for the disability must be measured so that the individual is not penalised for something they are unable to control more than they already are. An example might be someone with Tourette’s, Autism Spectrum Disorders, or ADHD who has trouble managing all of the silent or sitting activities. Equally someone with dyspraxia might be physically clumsy in their movements and it might be hard to observe expectations of mindful movement at all times. If these people come to the practice with an open and willing heart, they should have allowances made for their restrictions in an equal way as someone in a wheel chair might. The law is very simple to understand on this point and such allowances must be made. Again with the general guidance this is an opportunity for people to practice more deeply to enable all people to have equal access to the wonderful teaching of Thây and to be part of his inspirational community.

This might apply especially to people who seek ordination and order membership, it is too easy to judge form and not recognise deeper practices

It is helpful at this stage to discuss some kind of outcome or solution that might be expected and or worked towards but without making any promises until all sides of the complaint have been investigated.

### **Notification of the Complaint**

If a complaint has been made and is not settled immediately as above, the person or organising team being complained about must be given full access to the complaint about them. The complainant must be made aware of this and normally it should be made clear that a complaint cannot be anonymous, unless the complainant feels threatened in some specific way related to bullying or harassment of any kind, before any steps further are made. Delays in dealing with complaints are unhelpful and can lead to an escalation of the difficulty on both sides of the complaint. Also both parties should be fully informed of who it is that has been involved and who knows or does not know in terms of problem solving teams.

At no time should a complaint about someone be made openly and the person being complained about have that information withheld. It has too much potential to make the situation worse and more uncomfortable for all parties concerned. Unless the situation involves bullying or sexual harassment when telling the person being complained about may have significant repercussions on the complainant. Nevertheless the nature of the complaint will have to be made clear to them if the issue is to be dealt with. In these cases the people receiving the complaint should refer to official channels i.e. police.

### **Resolution strategies**

#### **Initial steps.**

In most cases most people want to be heard and feel confident that something might be addressed related to their complaint. Sometimes they may just need to understand why an event is organised in this way or structured in that way for their own understanding and thus they can make their own internal allowances. Often we can learn a lot by listening deeply to the concerns of people who attend our public events. In many ways this is more simple, as there is a time limitation on the issue.

 Listening to them may be enough. Beginning Anew may be relevant if another person is involved.

 If not, ask them to put their complaint into written format so that it can be fully investigated and addressed. We can take this as a useful way of practising deep listening within the organising bodies of our wonderful community and an opportunity to learn from these situations

Undertake investigations to see if complaint is valid. It may be that it is not possible to address everyone’s needs and this can be made clear to the person complaining

Supply a written report of investigation and suggested solutions.

Sexual harassment and Bullying may also be managed under the safeguarding policy guidelines.

### **Resolution Attempts**

IN the first instant, once a complaint is being managed by third parties, time must be given to both complainant, and complained about, parties to be deeply listened to and all points of view deeply understood. In the case of a one on one complaint it is advisable for each party to have a supportive friend from the order to help them manage the process from their point of view and the development of their practice in this context.

 The wonderful practices given to us by Thay include Beginning Anew and the repentance Gatha. A suitable time can be found for senior order members to facilitate this stage. In some cases this may not be enough for the complainant as they may feel the desire for retribution and it will be up to the skilful management of those involved to explain that this is not how Thay would view things and we as an order/ organisation are here to share and follow his teachings. Both parties must be fully instructed as to what these processes involve so they may fully prepare themselves.

### **Sangha outcomes**

When both parties are part of the same local Sangha it is important to resolve these issues so that there is minimal disruption to all parties. Ideally the complaint will be held and dealt with by the local sangha. The harmony of the sangha is paramount for all members continued safe environment to practice and share within. It is helpful if at least two members of the Sangha are familiar with these policies if possible. To maintain harmony it will be necessary to question how far and how long a request for anonymity can be accommodated. The distress of a complainant has to be balanced with the potential hurt to the person or persons complained about. Remembering the truth of the situation is likely to be situated somewhere between the two sets of perspectives. It is helpful if at least two members of the sangha are familiar with these policies if possible.

Holding a closed meeting, post resolution, to include only those involved with the situation, can ensure such issues may not arise again.

### Receiving complaints from the Public

Complaints from the public may involve an individual or a group of organisers, and may involve a wide range of issues.

 Complaints should be logged and an individual designated to deal with them on any organising team where this may be likely to occur.

The possibility of complaints being made when a sangha is organising an event that is publicised widely, means that it is advisable for a Sangha to have at least two experienced and regular members attending and organising that event, and to make sure they are fully insured for public liability or affiliated and protected under the national policy.

## **3 Concluding the complaint**

The complaint process will be considered complete when the complainant:

1. Informs the ‘receiver of complaint’ that they are satisfied with the outcome of the process
2. Withdraws the complaint
3. No longer responds for more than two months at any stage of process.
4. Is satisfied that a mediator (OI or independent) judges that the complaint has been settled as far as is possible.

In some situations the complaint will be concluded if a mediator judges that the complaint has been settled as far as is possible even if the complainant is not in agreement.

#### **Policy Guideline Inputs**

These policy guidelines have been written as a result of inputs from and consultation with:-

* People who have experienced such situations already and those who have helped to resolve them
* People who have been in management positions who have had to manage such situations
* The North American sangha
* The legal requirements of any organisation for equal opportunities.
* The Trustee team at the time of writing, who include;
 Vari McLuskie, Sylvia Clare, Mike Bell , Jonathan Edwards

**FINAL NOTE**

The creation of the COI complaints policy and guidelines, like all similar policies, is recommended by the charities commission and applies to all affiliated dimensions of our organisation for insurance purposes. They are organic documents and can be updated following further suggestions and feedback from interested parties.