

# Netherlands Unitarian Universalist Fellowship

## Complaint Policy

Adopted September 5, 2021

### 1. Introduction

The Netherlands Unitarian Universalist Fellowship (NUUF) is a religious and spiritual community grounded in love, integrity, mutual respect, and a commitment to enhancing the spiritual growth of members, friends, and visitors. Spiritual growth requires a safe and welcoming space where we can allow ourselves to be emotionally open and vulnerable. The NUUF considers creating this kind of safe and welcoming space to be a religious and moral obligation. Respectful and effective handling of complaints is an essential part of this aspiration. This Policy is intended to provide a framework for furthering these aspirations and for fulfilling the goals of the Safe Congregation Policy.

The NUUF is committed to dealing constructively, impartially, and effectively with all complaints. The NUUF will make every effort to ensure that all complaints receive a respectful, thorough, and timely response with due regard for the rights, interests, personal safety, and wishes of all parties. The matters addressed in this Policy are critical not only for the spiritual health of the individuals involved, but also for the spiritual health of the Fellowship as a community.

### 2. Values and expectations

Members and friends aspire to be in right relationship with each other and with the Fellowship. They are expected to respect the inherent worth and dignity of all, to treat each other with kindness and mutual respect, to take seriously the spiritual, emotional and physical wellbeing of all, to be attentive to and considerate of each other's personal boundaries, to ground personal interactions in integrity and mutual consent, and to uphold the Unitarian Universalist Principles.

### 3. Types of complaints

A complaint is an expression of dissatisfaction about the behavior of one or more individuals, or about a policy or procedure of the NUUF, relating to or occurring within the context of activities organized by the NUUF. A complaint may be based on alleged violations of the NUUF Safe Congregation Policy or relate to other matters. Complaints may be directed against the NUUF as an organization or against its elected or appointed officers, or against members, friends or visitors.

Disagreement and constructive criticism are not necessarily the same as complaint. An objection to a particular NUUF policy or practice may be a legitimate comment requiring a respectful response without constituting a complaint.

### 4. Registering complaints

Complaints may be filed with any elected Board member. A complaint directed against the President should be filed with the Vice President; a complaint directed against the Vice President or any other elected officer should be filed with the President.

Complaints may be made orally or in writing, but oral complaints should be refiled in writing so that proper investigation can be made. Complaints should include the following information:

- Names and contact information of the complainant and the person complained against;
- A description of the actions complained about, including time frames and locations;

- Any additional information that may be helpful, including names and contact information of others to whom the matter has been reported or communicated;
- Details of any previous actions taken to resolve the concerns;
- What the complainant considers a satisfactory resolution.

### **Contact person**

The Board member receiving the complaint shall inform other Board members of the complaint within a reasonable period of time. The Board (excluding any Board member who is the subject of the complaint) will designate one Board member to act as the main contact person for this complaint. In appropriate circumstances the Board may appoint a NUUF member who is not on the Board to perform this role. The contact person is not an advocate for any party but will serve as a resource and point of contact for the parties involved until the complaint is resolved.

The contact person shall take the following actions within a reasonable period of time:

- Offer to meet with the complainant. This shall include an invitation for the complainant to bring a friend. At this first meeting, the primary role of the contact person is to listen carefully and respectfully, to offer support, to discern and acknowledge the complainant's feelings, and to clarify what is alleged to have happened. The contact person will also inquire into the complainant's sense of safety;
- Explain to the complainant that details of the complaint will be provided to those who have responsibility for the matter and to the person being complained against;
- Inform the person complained against of the complaint. Except in situations of clear and present risk to the complainant, this will include the identity of the complainant. The contact person will also offer to meet with the person complained against. At this first meeting, the primary role of the contact person is to listen carefully and respectfully, to offer support, to discern and acknowledge the feelings of the person complained against, and to clarify what is alleged to have happened;
- Provide a written summary of the issues to all parties, explain the process and relevant time frames, and provide all parties a copy of this Complaint Policy.

### **5. Investigation and resolution of complaints**

The Board may respond to problems regarding inappropriate behavior as they arise without waiting for a formal complaint to be filed. If a complaint is filed, the Board may appoint one or more investigators to examine the complaint, talk to the parties involved, interview witnesses, and make recommendations for further action. The investigator should keep notes of discussions with parties or witnesses and share them with the relevant parties and with the Board. The Board is responsible for taking final action to resolve a complaint.

In most cases, one or more Board members should meet with the person complained against, explaining that the behavior described in the complaint is causing distress to the complainant or disrupting the activities or safety of the Fellowship, and request that it be stopped. A note-taker will also be present to record or summarize the conversation. If this meeting does not resolve the situation satisfactorily, one or more Board members shall meet separately with the complainant and with the person complained against—several times if necessary—to attempt to bring about a mutually acceptable resolution and to restore right relations with the Fellowship. A written summary of what was discussed and agreed upon will be drawn up by the contact person and shared with all parties.

If this process does not resolve the situation, the Board may take further steps, including excluding the offender from membership or participation in Fellowship activities, as indicated in the special procedures described below.

## **6. Special procedures for complaints alleging sexual harassment**

The NUUF aspires to address complaints involving sexual harassment with sensitivity and empathy, and to be considerate of the emotional toll involved in coming forward with such a complaint, as well as the emotional toll on the person accused.

### **Confidential counselor**

In cases involving allegations of sexual harassment, the Board will appoint one or more confidential counselors to be available to the person filing the complaint. The confidential counselor is to serve as a trusted resource for personal support, including spiritual and psychological support. The confidential counselor is not an advocate and shall not be involved in the investigation or resolution of the complaint. The secretary shall keep a list of NUUF members or friends who are available to act as a confidential counselor, preferably persons who have training and experience in pastoral counseling, psychology, social work, or similar fields. The list shall include both women and men.

### **Board action**

If after investigation it is determined that the offending behavior has taken place and the steps outlined in Section 5 above have not produced a satisfactory resolution, and if it appears that the complainant does not feel safe remaining in the Fellowship with the presence of the offender, the Board will communicate this to the offender and then draw up a written agreement stipulating clearly defined behavioral changes required as a condition of continuing to participate in NUUF activities. This agreement will be signed by the Board President and the offender. If this is not possible or is ineffective, the Board may take one or more of the following actions:

- Temporarily or permanently bar the offender from Fellowship premises and activities;
- Remove the offender from any official role in the Fellowship;
- Remove the offender from membership.

## **7. Special procedures in cases involving disruptive behavior**

If after investigation a problem concerning disruptive behavior is established and the steps outlined in Section 5 above have not produced a satisfactory resolution, the Board will communicate this to the offending individual and then draw up a written agreement stipulating clearly defined behavioral changes required as a condition of continuing to participate in NUUF activities. This agreement will be signed by the Board President and the offending individual. If this is not possible or if the behavior continues, the offending individual may be excluded from the NUUF for a limited period. Reasons for the exclusion will be clearly explained, as will the conditions to be met for the individual's reinstatement.

If temporary exclusion is ineffective, the Board will consider the following factors before taking further action:

- Any danger posed by the offending individual to persons or property;
- The degree of disruption caused to essential Fellowship activities;
- The likelihood of existing or prospective members being driven away;

- The reasons for the disruption (e.g., conflict between the individual and others in the Fellowship or a professionally diagnosed condition of mental illness);
- The likelihood that the problem behavior will diminish in the future;
- The frequency and degree of disruption caused in the past.

After consideration of these factors, the offending individual may be barred from the Fellowship and removed from membership.

### **8. Situations not requiring response**

In any of the following situations, the NUUF may not be able to respond to a complaint:

- The complaint has been submitted anonymously;
- The complaint concerns an event that took place more than two years in the past, unless exceptional circumstances dictate otherwise;
- It is not possible to investigate the complaint (e.g. due to the death or absence of the person being complained against);
- All reasonable steps have already been taken to respond to the complaint;
- The complaint is not about the NUUF or its officers, members, friends or visitors;
- The complaint is accompanied by threats of abuse;
- Unless there is a reasonable expectation of a threat or risk to third parties, the complainant specifically requests that no further action be taken;
- Except in situations of clear and present risk to the complainant, the complainant refuses to allow his or her identity to be made known to the person being complained against;
- The complainant refuses to allow his or her personal information to be stored in accordance with this policy;
- The complaint was made vexatiously or in bad faith; i.e. the complaint is clearly unfounded and the purpose of the complaint was to do harm rather than address misbehavior.

In these situations, the complainant (if known) will be informed of the decision not to proceed and the reason.

### **9. Recordkeeping and confidentiality**

In each case involving a complaint, the Board or contact person will make a written report summarizing the findings, conclusions, and actions taken. The report will be shared with all relevant parties. A copy of the report will be provided to the Secretary for archiving. The Secretary will maintain a log of all complaints and report this to the Board at least once per year. Reports will be retained for a period of seven (7) years, after which they will be destroyed.

The fact and content of a complaint will be kept confidential except as necessary to investigate and resolve the complaint. Reports and other information gathered in the process of handling complaints will be kept confidential. Persons who acquire such information in the normal process of handling complaints (Board members, investigators, contact persons, confidential counselors) shall not disclose this information to other members or friends of the NUUF or to third parties, except as required by law. This limitation does not apply to the principal parties (the complainant and the person complained against).

Information and statements relating to complaints of sexual harassment will be kept confidential unless the complainant authorizes release or unless required by law.