



ANGLICAN DIOCESE OF CANBERRA & GOULBURN

PROTOCOL FOR ADDRESSING GRIEVANCES

PROTOCOL FOR ADDRESSING GRIEVANCES

A. SCOPE:

The protocol describes the processes to be followed when there is a grievance.

A grievance **includes but is not limited** to:

1. A disagreement (including a conflict) between two or more people where at least one person is a member¹ of the Diocese
2. A perceived offence has been caused by a member of the Diocese
3. A perception by one person that they have been bullied by a member of the Diocese

This protocol is not applicable where there is an alleged serious breach² of Code of Good Practice by a church worker. The Professional Standards Ordinance will be used in such cases.

B: OUR COMMITMENT:

Our commitment is to provide a protocol for church leaders to address grievances within the church, in a Godly, loving, compassionate and procedurally fair manner.

In implementing this protocol we apply the **overarching principles** of:

- Seeking to glorify God in our responses to each other
- Striving to serve each other even in the midst of our disunity
- Seeking to grow Christ-like in our reactions to each other
- Extending grace to each other
- Focussing on restoration of relationships
- Seeking help where needed, to address grievances

¹ A member of this Diocese is a person who regularly worships in a ministry unit within the Diocese.

² A serious breach of the code of Good Practice is one which if substantiated may result in suspension, revocation of licence or deposition of Holy Orders.

C. A PATHWAYS APPROACH TO ADDRESSING GRIEVANCES

The nature of grievances means that it is necessary to respond sensitively and with care for all parties involved. The processes must serve people, not the other way around.

The Diocese commits to a case-by-case approach to the resolution of substantive issues and where possible, appropriate restoration of relationships between all parties.

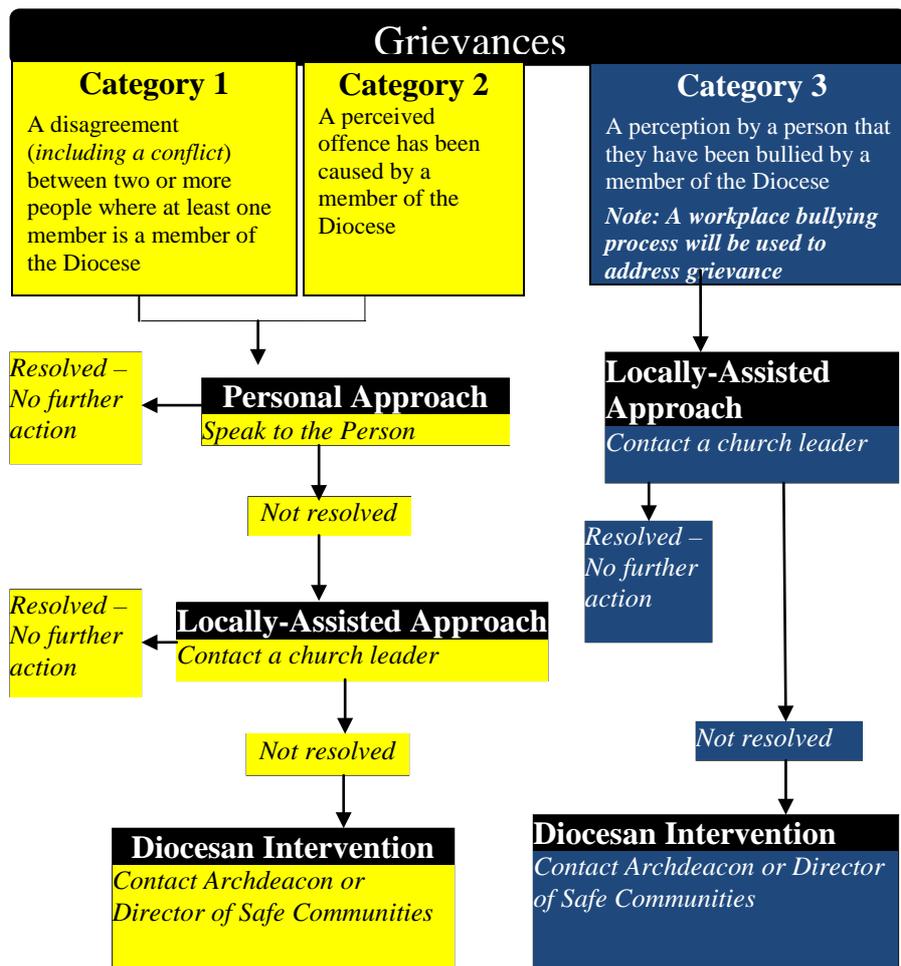
The pathway employed will depend upon:

- the nature of the grievance
- the positions/ roles of the parties involved
- the skills and/or capacity of the local church leader to address the situation

APPROACHES:

Below the Categories of Grievances and the appropriate pathway for each is outlined.

FLOW CHART OF APPROACHES



OUTLINE OF APPROACHES FOR CATEGORIES 1 AND 2 (Disagreement or Perceived Offence)

1. Personal Approach

NOTE: *This approach may be useful for addressing grievances in Category 1 or 2.*

In the first instance where a grievance arises between one person and another leader/s or other church person/s, and they feel able to address their concern, they are to go to the other person and express their concern with a view to resolving their differences.

Note: *The documents appearing in Category 1 and 2 of the **Grievance Protocol Resource Kit** may be useful when using the Personal Approach to addressing the grievance.*

2. Locally-Assisted Approach

NOTE: *This approach may be useful for grievances in Category 1, 2 or 3*

2a Where a person feels for any reason they require help in resolving the grievance, they may speak privately to a church leader who is not a stakeholder in the grievance, to request assistance in addressing their grievance.

In general the church leader to address grievances will be the Rector. However, a suitably skilled church warden, Parish Councillor or Ministry Co-ordinator may fulfil this role with the permission of the Rector.

2b Where the church leader feels comfortable in assisting those impacted AND where all parties involved in the grievance are willing to work towards restoring relationships, the church leader is to:

1. Meet with each party separately to ensure that all parties are given a chance to tell their story in private, work through the underlying concerns in moving towards resolution.
2. Clearly communicate the process to be used to each party during resolution meetings.
3. Hold meeting/s with all the parties to work through the issues and determine the course of action and desired outcomes
4. Follow up. Ensure that the strategies are implemented.
5. Monitor the situation. Over time check in with the parties to ensure they are going well with the past situation.

2c. At any stage throughout the process, the church leader may contact the Archdeacon or the Director of Safe Communities³ for assistance or resourcing.

If the situation becomes untenable, the church leader is to contact the Archdeacon or the Director of Safe Communities.

Note: *The documents appearing in Category 1, 2 and 3 of the **Grievance Protocol Resource Kit** may be useful when using the Locally-Assisted Approach to addressing the grievance.*

3. Diocesan Intervention

NOTE: *This approach may be useful for grievances in category 1, 2 or 3*

Where the grievance has:

- escalated beyond the ability or capacity of church leader to resolve the substantive and or relational issues, or
- where the local parish or any party involved wants independent help in moving towards addressing the grievance, or
- the grievance involves allegations of bullying or

then the church leader is to contact the Archdeacon or the Director of Safe Communities to implement Diocesan Intervention.

PROCESS

3a. Assessment of the grievance

Upon receiving a request to assist with addressing a grievance for any of the reasons listed above, the Archdeacon or the Director of Safe Communities will complete a fact finding exercise and make an initial assessment of the situation.

3b. Pathway Recommendation Report

The Archdeacon or the Director of Safe Communities will write a **Pathway Recommendation Report** to the Bishop. This report will include an outline of key issues (material and relational) and recommend a resolution pathway to follow.

³ When the Director of Safe Communities is on leave or unavailable, they may appoint a delegate to implement this protocol as required.

3c. Bishop's decision on pathway towards resolution

Taking into account the Archdeacon or the Director of Safe Communities *Pathway Recommendation Report*, and any other advice or submissions made by key stakeholders, the Bishop shall determine the resolution pathway that will be employed in this situation.

3d. Pathway employed

3d(i) Where the Bishop's decision is for any of conflict coaching, reconciliation, negotiation, or conciliation (mediation), then the Archdeacon or the Director of Safe Communities will work with the parties on this pathway to bring about agreed solutions.

3d(ii) Where arbitration is the Bishop's decision, then the Archdeacon or the Director of Safe Communities will work with the Bishop and other stakeholders to work on an arbitrated solution to the substantive issues.

3d(iii) Where it is the Bishop's decision to implement a workplace bullying process, the processes outlined in **Addressing Bullying** shall be followed.

3e. Implementation of solutions

Once all parties are in agreement, as far as is possible regarding solutions, the Archdeacon or the Director of Safe Communities will present these to the Bishop. The Bishop will decide to ratify or modify the solutions, communicate any modifications to all parties, then action implementation of the solutions.

3f. On-going monitoring of the situation

The Diocesan representative will in negotiation with the parties, make health checks on the situation to ensure that the solutions that have been employed are working.

Note: The documents appearing in Category 1, 2 and 3 of the **Grievance Protocol Resource Kit** may be useful when accessing a Diocesan Intervention to address the grievance.

OUTLINE OF APPROACHES FOR CATEGORY 3

(Perception of Bullying Behaviours)

A person in a church may think they have been bullied. They may have experienced some uncomfortable things in church life. However, not all unpleasant experiences within a church fall into the realm of bullying, so it is important to determine if what a person is experiencing is actually bullying or not.

Bullying in the church can come from clergy, coordinators or team members, but it is most often a situation involving a power imbalance where the person exercising bullying behaviours has more power than the person being bullied. Church bullying does not have to be individual behaviour. A group in the church can also be responsible for bullying and the target may be an individual or group – in some cases this sort of bullying is referred to as ‘mobbing’.

What is NOT considered to be bullying

There are things that happen in churches that are not considered to be bullying, even when these experiences may be slightly uncomfortable for those on the receiving end of the behaviours. The following are not considered to be bullying:

Reasonable supervisor/team leader/pastoral action. This can include:

- counselling someone because of concerns about their behaviour
- allocating reasonable tasks to someone in keeping with their team or ministry area
- requesting someone to do things that are requested of everyone in a team or attending an event
- changing someone’s roster in a reasonable way, even if they don’t like it
- giving someone critical feedback about their actions when this is done in privacy and in a respectful manner
- asking someone to move into a different ministry when this is in keeping with their skills and they are consulted first
- someone being left out of meetings when they are not relevant to their role or ministry

Good natured interactions with peers, such as:

- joking, laughing and telling stories when it is not directed at anyone and does not contain offensive content
- someone being asked by a congregation or staff member for a date and they respect their wishes if they decline
- someone being respectfully told by another church member that they are bothering them or hampering their service
- someone occasionally being left out of social gatherings, such as a group of church members going out for dinner together
- someone disagreeing with another person’s opinion in a respectful way
- someone accidentally being overlooked in a social invitation (so long as this is not a consistent and repeated occurrence)

What is bullying?

Bullying is repeated, unreasonable behaviour that has the potential to cause harm to the health and safety of a church member.

Bullying can take many forms but generally falls under one or more of the following headings:

- Physical
- Verbal
- Social
- Psychological

Physical

The physical aspects of bullying also cover violent and sexual behaviours. This form of bullying is not as common as other forms of bullying but can nonetheless have serious health and safety effects. It includes: hitting, punching, kicking, pinching, hair pulling, tugging at arms, shoulders, touching the body in a sexually suggestive manner, rape or sexual molesting, physical assault

Verbal

The verbal aspects of bullying may not physically injure a church member but can cause serious damage to their psychological wellbeing, confidence and self-esteem. They include:

Yelling, verbal abuse, including swearing, threats, ridicule, laughing at or teasing in a derogatory manner, name calling, bad mouthing a church member, spreading rumours about a church member, gossiping, telling lies to make a church member look bad.

Social

The social aspects of church bullying can be defined as such by the deliberate intention of the group to isolate another church member. These include: deliberately and consistently shutting another person out of conversations, not talking to another church member at all leaving a church member out of planned social events when all other church members are attending, everyone leaving a room when a particular church member enters the room, consistently moving seats when a particular church member sits down beside them, making negative comments about the way a church member dresses and looks, moving and hiding a church member's personal effects (such as their cup) to deliberately frustrate them and finding amusement in their distress, deliberately and inequitably giving a particular church member rostered shifts that will negatively affect their responsibilities at home.

Psychological

The psychological effects of church bullying can be very damaging even when the bullying is physical, verbal or social in nature. There are some psychological aspects of bullying that seem to especially target psychological well-being and these include: publicly embarrassing or humiliating a particular church member, constantly changing the requirements of the ministry/serving role without telling the person, using emails to embarrass or humiliate a church member, consistently not including a particular church member in meetings relevant to their ministry area, repeatedly preventing a particular church member from expressing an opinion when other church members are permitted to do so ridiculing or devaluing a particular church

member's contribution, opinion or idea, publicly criticising the effort of a particular church member, discrediting a church member behind their back, applying a higher standard of assessment to one church member over others in the church and thereby placing that person in a position when their effort is never considered to be good enough, negative body language such as eye rolling, smirking and turning their back to a particular church member, especially whenever they talk.

Responding to bullying behaviours

The key principle to addressing bullying is to try if possible to address the behaviour in the least intrusive and least formal way as a starting point. If the informal processes do not result in a satisfactory outcome, then the more formal options can be considered.

OPTIONS TO RESPOND TO ALLEGATIONS OF BULLYING

Personal Options

- Talking to someone you trust
- Seeking medical attention or other help
- Speaking to the perpetrator directly
- Talk to a church leader
- Talk to an Archdeacon or the Director of Safe Communities

Informal Resolution Process

An informal resolution process aims to ensure that the bullying incident is resolved as quickly as possible. Although a person has the right to make either a formal or an informal complaint, they should be encouraged to commence with the informal process first, as this can often achieve a more timely and satisfactory result for both parties.

No investigation or disciplinary action should be taken as a result of an informal complaint. Rather, a no-blame approach should be used to assist the individuals involved to reach an outcome that will ensure appropriate conduct in the future. The main focus is to return the individuals to beneficial participation in the community without interruption and with no further bullying behaviour.

Conciliation and Mediation

Conciliation and mediation are confidential processes that involve only the conciliator/mediator and the individuals concerned. It is acceptable, however, for the individuals to have a support person present during a conciliation meeting.

If the informal process fails to reach a resolution then the complainant should be advised that they have the right to pursue a formal complaint.

Process:

1. Provide the Rector (if appropriate), the Archdeacon or Director of Safe Communities with a statement outlining the perceived bullying behaviours.

2. The person receiving the statement outlining the bullying behaviours will assess the alleged behaviours against the hallmarks of what is deemed to be **reasonable supervisor/team leader or pastoral action**.

3. If the alleged behaviours would be deemed to be reasonable supervisor/team leader or pastoral action, then the person receiving the statement would explore the option of encouraging the stakeholders to meet.

This may be achieved by engaging in individual meetings with stakeholders and/or by assessing any documentation that has been made available to the person receiving the statement.

4. If it is deemed that a conciliation meeting between stakeholders may be appropriate, the person receiving the statement would assist the stakeholders to prepare for such a meeting.

Conflict Coaching is one option available to stakeholders to prepare for a conciliation meeting.

5. If it is deemed that a conciliation meeting between stakeholders would not be appropriate, then the person receiving the statement, may suggest a negotiated outcomes meeting.

A negotiated outcomes meeting is designed to facilitate decision-making about changes in behaviour of stakeholders that might contribute to being able to work effectively together.

6. Where positives outcomes have been achieved through this process, the situation shall be monitored by the person receiving the statement.

7. Where it is deemed by the person receiving the statement that the alleged behaviours would be deemed to be bullying behaviours, steps 3 to 5 above may be applied if appropriate.

Where these steps would not be appropriate, the person receiving the statement, in consultation with the person alleging the behaviours, may refer the matter to a formal investigation process.

Formal Investigation Process

A formal investigation process will adhere to natural justice principles to ensure fairness for all concerned. An investigation will occur as soon as possible after the complaint is received; and an impartial and independent (preferably external) person who can carry out the investigation without hindrance or bias will conduct the investigation.

Process:

A formal process usually has the following steps:

- Verbally advising the rector (if appropriate)
- Lodging the complaint
- Initial response
- Appointment of an investigator
- The investigation
- Findings
- Appeal
- Access to counselling and/or rehabilitation
- Review

(Adapted from I Think I am being bullied, what do I do? and Identifying and addressing workplace bullying , ACT WorkSafe 2012, <http://www.worksafety.act.gov.au/page/view/1211#Resources>, Accessed 29 October 2015)

REVIEW OF PROTOCOL

This protocol was endorsed by Bishop-in-Council on **3 June 2016** and is to be reviewed and adjusted as required periodically by the PSRG.

APPENDIX A: THE PLACE OF MATTHEW 18

Often Christians when in conflict or misconduct situations will quote Matthew 18:15-20. This passage refers to a person who has 'sinned against you'. In many cases this provides a great process for correcting poor behaviours, 'restoring the person who has sinned'. However, in cases where positional power exists between the parties or where abuse or perceived bullying behaviours have been experienced, this is often counter-productive to bringing about long term restoration of relationships.

In many conflict situations, the assistance of a neutral third party is essential to help each party understand the key issues and ways forward. In short, Matthew 18:15-20 is one pathway for addressing grievances but needs careful and prayerful consideration, and is not the only pathway for addressing conflict or grievances.

Dr Ken Newburger of the Institute for Reconciliation and Peacemaker Training takes the misapplication of Matthew 18 a step further. Dr Newburger asserts that:

"Looking for a way out of their quandary many church members and leaders misapply Matthew 18. They confuse this judicial church discipline process with a general model for conflict resolution. The problem with such an approach is that the church discipline process outlined in Matthew 18 is only for sin serious enough to remove a member from fellowship (v. 17).

Jesus' words are wrongly used if applied to issues or disputes that do not involve sin (e.g. Acts 15:36-41). Indeed, when this judicial church discipline process is inappropriately applied to disputes over church goals, policies, allocation of resources, building projects, etc., expect an escalation of the conflict."⁴

⁴ **Matthew 18:15-17 – The Most Misapplied Passage on Church Conflict.** © Copyright 2013. Dr. Ken Newburger. Institute for Reconciliation and Peacemaker Training. All Rights Reserved.