



PROTOCOL FOR ADDRESSING GRIEVANCES

ENDORSED BY BISHOP-IN-COUNCIL AUGUST 2019

The protocol for resolving misunderstandings, grievances and conflicts is to be followed when there is a misunderstanding and/or conflict situation between two or more members of a Parish or Diocesan entity.

This protocol applies to all people in the Anglican Diocese of Bathurst – staff¹, volunteers and members.

1. Scope

In this protocol document:

A misunderstanding &/or conflict situations are termed a *grievance* between parties.

A *grievance* includes but is not limited to the following categories:

- a. a disagreement (including a conflict) between two or more people where at least one person is a staff member of the parish or Diocesan entity;
- b. a perceived offence has been caused by a staff member, volunteer or member of the parish or Diocesan entity;
- c. a perception by one person that they have been bullied by a staff member, volunteer or member of the parish or Diocesan entity;
- d. dissatisfaction with the manner in which a staff member, volunteer or member has fulfilled their ministry role.

2. Our commitment

Our commitment is to provide protocols to address grievances within the Diocese, in a godly, loving, compassionate and procedurally fair manner.

This protocol is not applicable where there is an allegation of abuse or serious misconduct that falls under the jurisdiction of the Professional Standards Ordinance.

In cases where crimes are alleged, the police and/or appropriate authorities will be notified.

¹ A staff member includes any stipended or non stipended person holding a licence within the Diocese

In implementing the grievance 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 be 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

3. Options addressing grievances

The nature of grievances (misunderstandings/conflicts) means that it is necessary to respond sensitively and with care for all parties involved.

In many conflict situations the assistance of a neutral third party is essential, to help each party understand the key issues and ways forward.

The protocol 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 option 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 if relevant, to address the situation.

OPTIONS

1. Personal approach

This approach may be useful for addressing personal disagreements and perceived offences.

This is useful where there are not perceived significant power imbalances.

In the first instance where a grievance arises between one person and another person, and the parties 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.

'Peace-making' principles of glorifying God, serving each other and growing in Christ-likeness should be the focus in the attempts to resolve matters with the personal approach.

It may also be wise for the person who is initiating the personal approach to do some preparation in terms of seeking counsel from a wise and unbiased senior leader or external person, or engaging in some conflict coaching, before approaching the other party/ies.

2. Locally-assisted approach

This approach may be useful for personal grievances where the personal approach has not been successful in restoring the relationship, or where perceived bullying behaviours have taken place, or where there is dissatisfaction with the performance of a staff member, volunteer or member.

This approach is to be assisted by a suitably-skilled non biased third party. This appointment would need to be with the permission of all parties.

Note: The person should not have a direct supervisory role over any party. All conflicts of interests are to be declared and managed.

- a. Where a person feels for any reason they require help in resolving the grievance, they may speak privately to the Safe Ministry Helpline (external) or to a third party member of the Diocese who is not a stakeholder in the grievance, to request assistance in addressing their grievance.
- b. Where the third party feels comfortable in assisting those impacted and where all parties involved in the grievance are willing to work towards restoring relationships, the steps are:
 - i. meet with each party separately to ensure that all parties are given a chance to tell their story in private, working through the underlying concerns in moving towards resolution
 - ii. clearly communicate the process to be used to each party during resolution meetings
 - iii. hold meeting/s with all the parties to work through the issues and determine the course of action
 - iv. follow up - ensure that the solutions are implemented
 - v. monitor the situation - over time check-in with the parties to ensure they are going well with the situation
- c. At any stage throughout the process, the contact may be made to the Safe Ministry Helpline for assistance or resourcing.

If the situation becomes untenable, contact is to be made to the Professional Standards Director through the Safe Ministry Helpline.

3. Externally-assisted approach (external conflict resolution person)

Where the grievance has:

- escalated beyond the ability or capacity to resolve the substantive and or relational issues, or
- where those involved in the conflict want independent help in moving towards addressing the grievance, or
- the grievance involves allegations of bullying, then
- contact is to be made to find a suitably-qualified conflict resolution person to implement an external assisted approach, through the Safe Ministry Helpline.

a. *Assessment of the grievance*

Upon receiving a request to assist with addressing a grievance, the external conflict resolution person will complete a fact-finding exercise and make an initial assessment of the situation.

b. Resolution recommendation report

The external consultant will write a report to relevant officer holder (ie Bishop, Registrar). This report will include an outline of key issues (material and relational) and recommend a resolution strategy to follow (for example; conflict coaching, reconciliation mediation, negotiated outcomes, arbitration, accountability or referral to other process such as PSO).

c. Decision on resolution strategy

Taking into account the report, and any other advice or submissions made, the relevant authority shall determine the resolution strategy to be implemented.

d. Strategy employed

- i. Where the decision is made for any of conflict coaching, reconciliation, negotiation, or conciliation (mediation), the external consultant will work with the parties on this pathway to bring about agreed solutions.
- ii. Where the decision is made for arbitration, then the relevant denomination representatives, along with relevant leadership, will work with the stakeholders to work on an arbitrated solution to the substantive issues.
- iii. Where the decision is made to implement a workplace bullying process, the Workcover process for addressing bullying shall be followed. An external consultant shall be engaged to carry out the investigation.

e. Implementation of solutions

Once all parties are in agreement, as far as is possible regarding solutions, then the relevant office holder shall communicate with all parties the implementation plan.

f. On-going monitoring of the situation

The relevant authority shall, in negotiation with the parties, seek advice from on the situation to ensure that the plans for resolution have/are being carried out.

4. Approval and review of the protocol

This protocol was endorsed by the Bishop in Council 7th August 2019 and will be reviewed in 2021 or as necessary to comply with relevant legislation such as Workplace Health and Safety.

*Acknowledgement: Adapted from Protocol for Addressing Grievances
Anglican Diocese of Canberra & Goulburn – January 2015
Adapted by Karen Trafford and Peter Barnett*