

# Diocese of Willochra

## Grievance Policy

### SUMMARY

- Any member of a congregation, parish or ministry district may use this policy to bring a complaint relating to their treatment or their concerns about a relationship.
- The Diocese will review all grievances and respond to them.
- Most grievances will be able to be resolved at the local level by the relevant Clergy person.
- Grievances unable to be resolved at the local level, or against a Clergy person, will be referred to an Archdeacon for assistance, including by way of mediation, determination or external referral.
- The Bishop deals with all grievances against an Archdeacon.
- All parties to a grievance are required to maintain confidentiality at all stages of the process.
- Victimisation of complainants and other parties involved will not be tolerated.

### POLICY

#### 1. **Background Information**

The Church's mission expresses a fundamental concern for the dignity of all human beings. Accordingly, this policy seeks to develop a supportive environment with policies and procedures that provide a clear statement of Diocesan expectations of its members.

#### 2. **Policy Statement**

- 2.1. Members of a congregation, parish or ministry district have the right to a safe environment and to be treated with dignity and respect.
- 2.2. The Diocese provides these procedures by which members of a congregation, parish or ministry district can have a grievance addressed.
- 2.3. Everyone has the right to use these procedures if they believe they have a legitimate grievance.

#### 3. **Policy Purpose**

The purpose of this policy is to guide the Diocese's approach to the management of concerns or complaints which arise as grievances.

#### 4. **Application of Policy**

This policy applies to all members of the Diocese, including Clergy and Licensed Lay Ministers ("LLMs").

## 5. **Grievance Principles**

5.1. A grievance means a complaint:

5.1.1. concerning treatment in a particular situation that may be inequitable or procedurally unfair; or

5.1.2. arising from personal relationships.

5.2. The following principles for managing grievances apply:

5.2.1. each complaint will be managed separately, even if more than one complainant raises the same or a substantially similar grievance;

5.2.2. in the case of every grievance, the Diocese will review the allegations and respond to the complainant who raised the grievance;

5.2.3. while the procedural requirements for resolving grievances may vary, the Diocese aims to ensure that:

5.2.3.1. grievances are addressed sensitively, promptly and in accordance with natural justice;

5.2.3.2. all reasonable steps are taken to respect the confidentiality of the people involved;

5.2.3.3. fairness and impartiality prevail throughout the resolution process;

5.2.3.4. until a grievance is investigated and a decision is made, a grievance is treated as an allegation, not a fact;

5.2.3.5. appropriate records are maintained throughout the resolution process;

5.2.3.6. both complainants and respondents are protected from victimisation or reprisal; and

5.2.3.7. both complainants and respondents are regularly informed of the progress of the matter, including the consequences of any finding that the grievance is substantiated or not substantiated;

5.2.4. both complainants and respondents may nominate a person otherwise unrelated to the circumstances of the grievance as a 'friend' to support them through the resolution process.

## 6. **Grievance Procedures**

6.1. Most grievances should be able to be resolved at the local level. First, the complainant should attempt to resolve the grievance with the assistance of the local Clergy person or LLM.

6.2. In circumstances where the grievance is unable to be resolved at the local level, or is a grievance with a Clergy person or LLM, the complainant should ask the relevant Archdeacon to assist by:

6.2.1. organising for mediation to occur to try to resolve the grievance consensually;

- 6.2.2. determining the truth or existence of a fact in the matter (without making findings as to whether or not some or all of the grievance is substantiated);
  - 6.2.3. investigating the matter to make findings as to whether or not some or all of the grievance is substantiated; or
  - 6.2.4. referring the matter to an external investigator to investigate the matter and make findings as to whether or not some or all of the grievance is substantiated.
- 6.3. If, in the opinion of the Archdeacon, it is appropriate to provide assistance, the Diocese will aim to ensure that:
- 6.3.1. before this occurs, the complainant relevantly describes the allegations he or she wishes to make (in most instances, but not all, this will need to be in writing), including particulars of the allegations;
  - 6.3.2. the respondent is provided with details of the allegations and given the right of response; and
  - 6.3.3. all parties are informed by the Archdeacon, in writing, of the outcomes of any of the processes adopted.
- 6.4. In circumstances where the grievance is with an Archdeacon, the complainant should ask the Bishop to assist. The Bishop may exercise all of the functions which the Archdeacon may have exercised pursuant to clauses 6.2.1 to 6.2.4 inclusive.

## 7. **Outcomes**

- 7.1. If a grievance is dealt with under clause 6.2 of this policy and all or any of the allegations made are substantiated, the Bishop shall be advised of the outcome and may then refer the matter to the relevant Clergy person, LLM or Archdeacon, who may do one or more of the following:
- 7.1.1. counsel the respondent against whom the allegation has been substantiated on his or her behaviour and the findings made as a result of the investigation;
  - 7.1.2. commence disciplinary action in accordance with Professional Standards, Appendix One, Regulation Three;
  - 7.1.3. take some other appropriate action after consultation with the Bishop.
- 7.2. In the case of a grievance with an Archdeacon, the Bishop will decide what action should be taken.

## 8. **Confidentiality and Victimisation**

- 8.1. The parties to a grievance are required, at all stages of this procedure, to maintain confidentiality.
- 8.2. The parties must not disclose, by any form of communication, either the fact or the substance of the matter to anyone other than their nominated 'friend' or a qualified counsellor.

- 8.3. A person must not victimise or otherwise subject another person to detrimental action as a consequence of that person raising, providing information about, or otherwise being involved in the resolution of a grievance.
- 8.4. Any breach of either the confidentiality or non-victimisation obligations will be treated seriously by the Diocese, and may result in disciplinary action. Any such breach will be referred for investigation as a Professional Standards matter.

9. **Policy Review**

From time to time, the Diocese may make changes to this policy as it sees fit to improve the effectiveness of its operation.

10. **Further Assistance**

Any person who requires assistance with this policy should consult with their local Clergy person, LLM or Archdeacon.