



Queanbeyan Uniting Church Grievance Policy

1. Policy statement

The Queanbeyan Uniting Church (QUC) believes that the Church's call is to be and to foster a fellowship of reconciliation in which all people are loved, respected, and treated with dignity.

QUC is committed to providing a safe environment for those attending or participating in worship and other QUC-sponsored activities. The purpose of the QUC Grievance Policy (the Policy) is to outline the steps to be taken should a grievance arise between two or more people who are participants in the QUC community or Ministers at QUC.

The Policy commits QUC to responding to grievances on a case-by-case basis. Responses will depend on the nature of the conflict or grievance, the positions or roles of the parties involved, and the skills and expertise of those within QUC to appropriately address and resolve the situation.

2. Policy scope

The Policy applies to grievances relating to:

- i. bullying
- ii. harassment
- iii. emotional abuse
- iv. physical abuse, and
- v. spiritual abuse.

The Policy does not relate to allegations of a criminal nature. In such cases, the matter is to be immediately referred to the appropriate law enforcement agency. Specific information about responding to allegations of a sexual nature can be found in the *Uniting Church in Australia Member or Adherent Sexual Abuse and Sexual Misconduct Complaints Policy*.

The Policy does not prevent any party from seeking a legal solution in accordance with their rights. The Policy does not supersede any procedural, personal or institutional obligations as required by law. The Policy does not prevent any member from pursuing alternative avenues of complaint available under the *Uniting Church in Australia Constitution*.

3. Policy principles

The following principles underpin the Policy:

- i. All parties, support people, and others involved in the grievance must:
 - a. enter into any remedial process in good faith, committing to compassion, mercy, grace and justice in working towards an appropriate resolution
 - b. maintain strict privacy and confidentiality, both during the resolution process and following its conclusion, and
 - c. declare any conflict of interest which may result in an assessment of the appropriateness of their ongoing participation in the process.
- ii. Grievances should be treated seriously and sensitively and be dealt with as promptly as possible.
- iii. The nature of any grievance must be specific, and should preferably refer to times, dates and locations of incident/s, as well as any witnesses present.
- iv. The aim of the resolution process is to reach a mutually acceptable outcome which is both fair and effective, which minimises the potential for ongoing damage to relationships, and which allows the ministry of QUC to continue effectively.

- v. All parties involved in a grievance should receive appropriate information and support to resolve the matter. This will always include providing them with a copy of the Policy, and allowing each to be accompanied by a support person during any conciliation conversations.
- vi. Grievances are to be resolved with respect to procedural fairness, whereby each party has the right to be heard, the right to be treated without bias, the right to be informed of the allegations being made, and the right to be provided with an opportunity to respond to those allegations.
- vii. It is expected that any power able to be wielded by any party due to position, status, gender, or other personal circumstance be declared and treated as a relevant consideration throughout the remedial process.

4. Policy definitions

Complainant

A person who raises a grievance.

Conciliator

A neutral third party, possibly, though not necessarily, a Minister, Chair of Church Council, or a Church Councillor. The primary function of the Conciliator is to facilitate any conciliation conversations. The Conciliator is responsible for keeping confidential records of the remedial process. The Conciliator is not responsible for determining the final outcome of the process.

Conciliation conversation

A conversation in which the parties, with the assistance of a Conciliator and, if necessary, support people, identify the grievance, develop options to resolve the grievance, and endeavour to resolve the grievance through conciliation.

Grievance

A real or ostensive cause for complaint, particularly resulting from actual or perceived unfair treatment of oneself or someone else.

Minister

Any person commissioned or ordained into a recognised ministry, such as Minister of the Word, Ministry of Deacon, or Ministry of Pastor.

Parties

Those individuals party to the grievance, being the Complainant and the Respondent.

Respondent

A person against whom a grievance has been raised.

Support person

A person to accompany and support either the Complainant or the Respondent at any conciliation conversation.

5. Policy procedure

The three phases of the resolution process are outlined under Phase 1, Phase 2 and Phase 3 (see following pages).

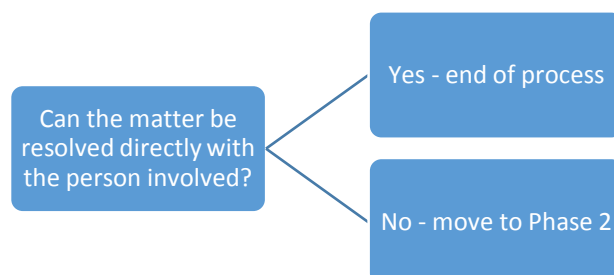
If the Conciliator considers that, in a particular case, strict compliance with the phases and each of the procedures contained therein will not give effect to the purpose and principles of the Policy, the Conciliator should, with the permission of both parties, modify the process to achieve this end. Modification may involve proceeding directly to Phase 2 or Phase 3, or seeking external advice from, or participation, by professional health providers.

The steps toward resolution outlined in the Policy are to be entered into voluntarily by each party. Should a party refuse to participate voluntarily at any stage of the process, the Church Council will refer to procedures stated in the *Uniting Church in Australia Constitution* regarding church discipline. If the party is a participant in the QUC community, Church Council will refer to '5.2 – the Discipline of Members'. If the party is an Officer (including a Minister), Church Council will refer to '5.3 – the Discipline of Officers'.

If at any time during the resolution process a Complainant or Respondent feels that the other party or the Conciliator has seriously breached their responsibilities or the principles of the Policy, they should refer to alternative avenues of complaint available under the *Uniting Church in Australia Constitution*.

Phase 1 – Self-managed Resolution

Assessment



Procedure

Before lodging any formal grievance under the Policy, the Complainant should try to resolve the matter directly with the Respondent. Ideally, this should occur within two weeks of the incident taking place.

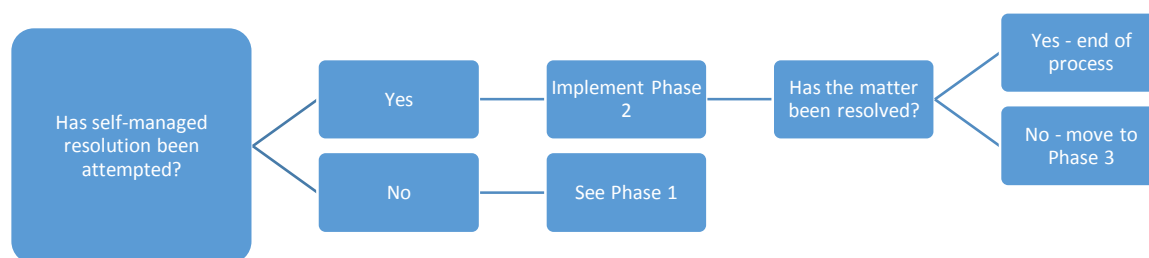
In addressing the matter with the Respondent, the Complainant should be clear about the specific nature of the grievance. Where circumstances do not prevent otherwise, the Complainant should allow the Respondent sufficient time to consider and respond to the allegation.

The Complainant is encouraged to note the details of any attempt at self-managed resolution, including the time and place any communications occurred. These details may be referred to should the matter proceed to Phase 2.

If self-managed resolution does not result in a satisfactory outcome for either party, or if the Complainant feels unable to address the grievance directly with the Respondent, the matter should proceed to Phase 2.

Phase 2 – Local Resolution

Assessment



Procedure

If Phase 1 did not result in an acceptable outcome, either party may refer the grievance for Local Resolution. Ideally, referral should occur within two weeks of the attempt at self-managed resolution.

The party should refer the matter to a Minister* in writing. The referral should contain specific details of the nature of the grievance, including dates, times and previous attempts at resolution. The Minister will appoint a Conciliator, who may be herself/himself or a suitable third party. The Conciliator must be acceptable to both parties.

*If the Minister is the Respondent, the written advice should instead be submitted to the Chair of Church Council. If the grievance also involves the Chair of Church Council, the written advice should instead be submitted to an appropriate Church Councillor (who should seek advice from the Presbytery Minister (Pastoral Care and Administration) regarding next steps).

If the Complainant is a Minister, the written advice should be submitted to the Chair of Church Council. If the Complainant is a Minister and the grievance is against the Chair of Church Council, the Minister should seek the counsel of Presbytery.

In the first instance, the Conciliator must:

- i. inform the other party that the grievance has been referred for Local Resolution
- ii. provide both parties with a copy of the Policy
- iii. invite each party to nominate a support person, and
- iv. work with both parties to arrange a time—ideally within two weeks of the referral being made—to meet for a conciliation conversation.

The Conciliator may meet with the Complainant and Respondent (and their support person) separately prior to any conciliation conversations to give each party an opportunity to share their account of events.

The Conciliator is responsible for coordinating and facilitating one or more conciliation conversations with the Complainant, the Respondent and any support people in order to resolve the grievance in a fair and timely manner. The Conciliator may choose to appoint an appropriate person, agreed to by both parties, to assist them (the Conciliator) in facilitating an outcome.

The Conciliator is also responsible for advising the Chair of Church Council of progress regarding the Local Resolution process.

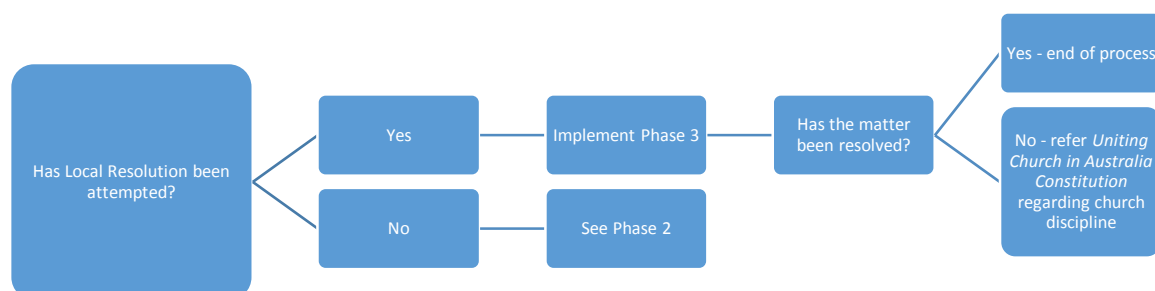
Following conciliation conversation/s, any mutually acceptable outcome reached between the two parties should be made in writing and signed by both parties and the Conciliator. If a Minister is not the Conciliator and is not either of the parties, the written statement should also be approved and signed by her/him. Each party should be provided with a copy of the signed statement. The signed statement may include a time at which the Conciliator will review the situation with both parties to ensure their ongoing satisfaction with the outcome.

The matter should proceed to Phase 3 if:

- i. Phase 2 does not result in a satisfactory outcome for either party within two months of the referral being made
- ii. the Conciliator is not confident that she/he or others at QUC have the requisite skills or expertise to adequately address the grievance, or
- iii. at any time during Location Resolution, the Conciliator forms the view that there is no reasonable prospect of resolving the matter via Location Resolution.

Phase 3 – Regional Resolution

Assessment



Procedure

If Phase 2 did not result in an acceptable outcome, the Conciliator should recommend that Church Council refer the grievance for Regional Resolution. Ideally, referral should occur within two weeks of the conclusion of attempts at Local Resolution.

Church Council, via the Conciliator if preferred, must advise both parties in writing that the grievance is being referred for Regional Resolution. If a Minister is not the Conciliator and is not either of the parties, the written notification should be provided to her/him as a matter of course.

Church Council must refer the grievance in writing to the Presbytery Pastoral Relations Committee (PRC). The grievance may be referred to the PRC via the Presbytery Minister (Pastoral Care and Administration) where appropriate.

To the extent deemed appropriate by the PRC (or its delegate), Church Council, the Conciliator, both parties and support people must engage with the PRC's recommended course of action.

If a satisfactory outcome cannot be reached with the input of the PRC within a timeframe deemed appropriate by it (or its delegate), Church Council must refer to the appropriate section (either 5.2 or 5.3) in the *Uniting Church in Australia Constitution* in order to determine a final outcome.