



Anglican Diocese
of the Northern Territory

Grievance Protocol

DOCUMENT NUMBER	SM003
TYPE	Protocol
SUBJECT	Grievance Protocol
AUTHORISED BY	Diocesan Council in accordance with Part 3 of the Professional Standards Ordinance 2017
DATE AUTHORISED	

SCOPE:

The Grievance protocol describes the process to be followed when there is a grievance or conflict between two or more membersⁱ of our Diocese. The protocol applies to all members and church workers (ordained and non-ordained, paid and voluntary, licensed and unlicensed) who are associated with the ministry of the Anglican Church in the Diocese of Northern Territory.

A grievance may be categorised as one of three types:

1. a conflict and / or misunderstanding and or theological disagreement
2. concerns about poor performance
3. an alleged crime and / or significant professional misconduct that if admitted to or proven would lead to one or more of the following outcomes: referral to counselling, suspension from position, permanent removal from role/position, loss of licence, revocation of holy orders (clergy), referral to police. This may include but is not limited to breaches of canonical oaths, breaches of *Faithfulness in Service*, or other alleged criminal behaviour.

This grievance protocol covers Types 1 & 2 grievances only and is not applicable where there is an alleged crime and / or significant professional misconduct. In such instances the matter is dealt with according to either the *Professional Standards Ordinance* or the *Faithfulness in Service Investigations Protocol* of the Diocese. Type 3 grievances should be referred to the Safe Ministry Helpline.

This protocol assumes the members involved in the dispute are aged eighteen years or older and not classified as vulnerable persons. When a grievance involves vulnerable persons, Parish Leaders must seek advice from the Safe Ministry Helpline prior to the application of this protocol.

In addition, this policy is not intended for use regarding persons of concern. In such cases, the *Protocol for ministry with Persons of Concern* is to be implemented and the matter referred immediately to the Safe Ministry Helpline.

This document is to be read in conjunction with the Diocesan *Safe Ministry Policy*.

The aim of this protocol is to provide a safe mechanism under our *Safe Ministry Policy* for church members to address grievances and respond to conflicts within the church in a godly, loving, compassionate and procedurally fair manner.

GUIDING PRINCIPLES

In line with Jesus' advice in the Gospel of Matthew, the principles used to implement this Grievance Protocol are:

- seeking to glorify God in our responses to each other
- focussing on restoration of relationships
- striving to be peacemakers even in the midst of disunity
- seeking to become more Christ-like in our reactions to each other
- extending grace to each other
- seeking help where needed, to address grievances

ⁱ A member of the Diocese is a person who regularly worships in a Parish or ministry unit within the Diocese.
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PATHWAYS TO RESOLVING A GRIEVANCE

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.



Where possible, grievances should be resolved with the least escalation possible, which has the maximum opportunity for restoring relationships and draws the least number of people possible into the conflict.

The pathway employed will depend upon:

- a) the nature of the conflict situation and/ or grievance
- b) the positions/ roles of the parties involved
- c) the skills and/or capacity of the local church leader to address the situation.

The pathway employed does not prevent the parties to the grievance seeking independent advice at any time, should they choose to do so.

A grievance has potential to escalate, causing significant relational wounds. For this reason, the bishop, rector or church leader who is managing the grievance is responsible not only to communicate clearly with involved parties, but also to provide appropriate communication to all persons affected directly by the dispute. Members not directly involved in the resolution of a dispute are advised not to discuss the matter except with the church leader in charge. In the case of a significant conflict, it is appropriate to also tend to those indirectly impacted persons to heal relationships and prevent ongoing division and mistrust within the parish.

PROCESS

1: Local Resolution

- 1.1** In the first instance, where a conflict situation arises between people and they feel able to express their concern safely, they are to go to one another and express their concern with a view to resolving their differences directly, in accordance with biblical injunctions.
- 1.2** If any person feels for any reason that they require help in resolving the situation they may speak privately to the Rector, provided he or she is not a stakeholder in the grievance or conflict, to request assistance in addressing it. In general the leader to address grievances and conflict will be the Rector. However, a suitably skilled Church Warden, Parish Councillor or Senior Ministry Leader may fulfil this role with the permission of the Rector (or with the permission of the Bishop if there is no Rector, or if the Rector is a stakeholder in the conflict).
- 1.3** Provided that the Rector feels comfortable in assisting those impacted, and:
 - all parties involved in the conflict or grievance are willing to work towards restoring relationships
 - the conflict is still at a low level, e.g. all parties are still amicable and able to talk calmly together and want to restore their relationship,
 then the Rector will:
 - i. meet with each party separately
During private meetings the church leader is to ensure that all parties are given a chance to tell their side of the story in private, and to work through the underlying concerns in

moving towards resolution. This might be called conflict coaching or preparing for a resolution meeting.

- ii. clearly communicate to each party the process to be used during resolution meetings and keep records of meetings and agreements
- iii. hold resolution meetings with all the parties to work through the issues and determine the course of action and desired outcomes, bearing in mind all material (substantive) issues, including relational issues
- iv. follow up the parties with a view to ensuring that the solutions are implemented
- v. monitor the situation.

Over time check with the parties to ensure the resolution is continuing to work well for all. If appropriate, the Rector or Bishop may communicate something of the resolution to indirectly affected parties.

- 1.4. At any stage throughout the process, the Rector, or any party may contact the Bishop or the Safe Ministry Helpline for assistance or resourcing without being deemed as breaking confidentiality.

2. Diocesan Resolution

The grievance is referred to the Bishop by the Rector or any member of the conflict, in order to seek Diocesan intervention and resolution, when the grievance or conflict:

- is with the Rector or local church leader
- has escalated beyond the capacity of a Rector to resolve the substantive and or relational issues
- requires independent help in moving towards addressing the grievance or responding to the conflict, in the view of the local parish or any party.

The Bishop will determine the best person(s) to assist the parties towards resolution.

The parties involved need to be advised that, as the process progresses, they remain free to seek help from the Safe Ministry Helpline or from outside the Diocese if they feel the conflict is not being resolved.

The Diocese commits to a prayerful case-by-case approach to each matter.

2.1 Assessment

Upon receiving a request to assist with addressing a grievance or a conflict, the Bishop or his/her delegate will make an initial assessment of the situation. This may include a review of correspondence, and holding briefing meetings with the parties to:

- understand the history and current status of the conflict/grievance
- ascertain their willingness to address the grievance or conflict
- determine each person's conflict resolution style and preferences regarding an ideal pathway for resolution
- make judgements as to the intensity level of conflict
- determine the substantive issues.

The Bishop or his/her delegate may also seek advice, including consulting with a relevant professional as part of this assessment.

2.2 Pathway Recommendation Report

A *Pathway Recommendation Report* is to be prepared. This Report must include an outline of key issues, the type of conflict and the conflict resolution pathway that is to be used. The recommendation must also give due consideration to the resources required for the recommended pathway.

Possible pathways that may be recommended include, but are not limited to:

- dismissal of the investigation
- conflict coaching
- counselling
- conciliation
- mediation
- arbitration.

When a Type 3 grievance is identified by the Bishop or delegate, the matter must be referred as appropriate under other Diocesan protocols or ordinances and if appropriate to relevant law enforcement agencies.

2.3 Bishop's decision on pathway towards resolution

Taking into account the *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.

2.4 Pathway employed

Depending on the Bishop’s decision of pathway, appropriate resources must be allocated to enable the parties to determine agreed solutions. As part of determining the appropriate pathway, the Bishop shall determine where funding responsibilities lie.

2.5 Implementation of solutions

Once all parties are in agreement, as far as is possible, regarding solutions, the Bishop decides to ratify or modify the solutions, communicate any modifications to all parties, then authorises implementation of the solutions.

2.6 Ongoing monitoring

The Bishop, or his/her delegate(s), in negotiation with the parties, is to make health checks on the situation until the Bishop is satisfied that the solutions that have been employed are working. This may include communication to indirectly affected persons if appropriate.

3. External Resolution

3.1 Pathway employed

Depending on the Bishop’s decision of pathway, appropriate resources will be allocated to enable the parties to determine agreed solutions. As part of determining the appropriate pathway, the Bishop shall determine where funding responsibilities lie.

3.2. Implementation of solutions

When arbitration is the Bishop’s decision, then the Bishop, or his/her delegate(s), together with other stakeholders are to work on an arbitrated solution to the substantive issues. It is to be noted that, dependent upon the type of conflict and issues involved, this step may take several meetings and some time to work through.

Once all parties are in agreement, as far as is possible, regarding solutions, the Bishop will decide to ratify or modify the solutions, communicate any modifications to all parties, then authorise implementation of the solutions.

3.3. Ongoing monitoring

The Bishop, or his/her delegate(s), in negotiation with the parties, is to make health checks on the situation until the Bishop is satisfied that the solutions that have been employed are working. This may include communication to indirectly affected persons if appropriate.

TIMEFRAMES

It is very important that an initial response to a grievance is made as soon as practicable, and within 30 days. Those with responsibilities under this protocol should act as expeditiously as possible in undertaking their roles in relation to a particular situation, to ensure that the time taken to undertake this process does not contribute unreasonably to escalation of the conflict and associated harm to those involved.

MORE INFORMATION:

The Diocesan Safe Ministry Policy

The Diocesan Code of Conduct: *Faithfulness in Service*

The Professional Standards Ordinance

Diocesan Faithfulness in Service Investigations Protocol

Diocesan Protocol for Responding to Allegations of Sexual Misconduct

For completion when document supersedes and existing policy, procedure or protocol.

VERSION NUMBER OF THIS DOCUMENT	DATE OF PREVIOUS DOCUMENT	SUMMARY OF CHANGE	REASON FOR CHANGE
1	n/a		