

ANGLICAN DIOCESE OF BUNBURY

POLICY AND PROTOCOL FOR ADDRESSING GRIEVANCES, CONFLICT MANAGEMENT AND BULLYING

Approved Bishop-in-Council: February 2019

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POLICY

The Anglican Diocese of Bunbury does not accept poor behavior or bullying in parishes or across the Diocese. The Diocese seeks to work with individuals and parish communities to resolve grievances, conflict, poor behavior and broken relationships and to stop bullying in a manner which is helpful, positive and restores relationships promptly and respectfully, while seeking and responding to God's wisdom and love.

If the parties involved do not wish to accept the decisions and agreed way forward, depending on the severity of the concerns, the Diocese will take additional steps to keep individuals and parishes safe as it will not accept unsafe behaviour in its churches.

The Scope of the Policy

This policy and processes apply to disagreements, grievances and conflict, perceived offence, poor behavior and bullying.

Bullying includes unreasonable behavior that can be physical, verbal, social, psychological and spiritual abuse and misuse of power.

PROCESSES

The process for addressing a grievance, conflict, perceived offence, poor behaviour or to provide feedback.

To respond to allegations of bullying see Page 6ff.

These processes apply to:

- *A disagreement including a grievance, conflict, perceived offence or poor behavior between two or more people; and*
- *Where at least one of the people involved is a member of the Parish or Diocese and the matter has been brought to the attention of the Parish Oversight Committee or a Parish leader or the Diocesan Office.*

This Policy does not apply when there is an alleged serious breach of the Professional Standards for a clergy person. A 'serious breach' is one which if substantiated, may result in suspension, revocation of licence or deposition of Holy Orders. (Please see the Professional Standards Statute 2004; The Bunbury Diocesan Tribunal Statute 1985-2018, and The Parochial Statute 2017-2018).

A 'member of the diocese or a parish' is a person who worships within the Diocese in one or more

parish or Diocesan locations or is actively involved in Diocesan work and ministries in a parish or more widely across the Diocese.

There are three pathways which may be taken, depending on the matters and the individuals involved.

1. Personal Approach Pathway and Steps

2. Locally Assisted Pathway and Steps

3. Diocesan Assisted Pathway and Steps

General Comments

It is important to respond sensitively and with care for all parties when a grievance, conflict, perceived offence or poor behaviour is highlighted.

The process must serve the people and not the other way round.

The matter will be dealt with on a case-by-case basis with the outcome desired being a resolution of the substantive issues and where possible, appropriate restoration of relationships between all parties. This desire to reach a positive outcome and to conclude the matter must be discerned at the start of the process.

The process is assisted and informed by the work of the Oversight Committee and local parish practices, and by the legislation for Safe Church, see The Parochial Statute 2017-2019.

The pathway chosen will depend on:

- The nature of the grievance or concern
- The positions and roles of the people involved and this could mean that the Priest-in-Charge seeks assistance very early in order to maintain pastoral relationships and the work of the Oversight Committee.
- The skills and capacity of the local church leader to address the situation in a timely and appropriate manner; and
- The desired outcome being agreed early in the discussions so the shared expectations are achieved.

1. Personal Approach Pathway and Steps

The personal approach is to be encouraged and supported, with coaching and assistance wherever possible.

The individual/s affected will approach the other person or group directly, to seek a conversation, to share understanding about what has occurred, to listen to the grievance or concern, learn from each other and have an agreed outcome for the future that is committed to maintaining and growing the relationship more positively for the future. See the Diocesan Code of Conduct.

This should be done promptly, in a timely manner to seek to understand why and how the incident or behavior occurred and to reach a shared understanding of the way forward.

This can be done informally, and with the hope and intention by all involved of resolving the matter promptly and concluding the matter.

2. Locally Assisted Pathway and Steps

The locally assisted pathway is the approach to take when a disagreement including increasing conflict, or perceived offence has been caused, poor behavior has been discussed; and when a personal approach has not worked or when one or more of the individuals feels unable to do this without support.

This approach can be managed and supported locally with assistance, direction and support from the Oversight Committee, and provides the parish with the option to ask for Diocesan help, assistance, support and intervention when required. This assistance would be available in the background, with advice, resources, mentoring, coaching and assistance.

The locally assisted pathway is strengthened and supported by the individual/s contacting a Church Leader to provide help in resolving the issues and by ensuring the Oversight Committee is advised of the activity and intent.

It is important to ensure natural justice is evident in the process; and a support person to be present in meetings (not a representative) is also an option available to those with whom concerns are being raised.

The person assisting in resolving such concerns in the parish should be competent and experienced in such matters and have the support of the Priest-in-Charge and the Oversight Committee to be involved as the issue becomes more formally managed by the parish. This may be the individual's role and ministry in the parish or it may be on a case-by-case basis.

Those involved will preferably agree to this process being used and be willing to work towards restoring relationships. The Oversight Committee may also bring in additional assistance from other parishes if this is helpful.

The Locally Assisted Pathway Steps:

- Those involved need to meet separately to tell their stories and to work through their underlying concerns to achieve a resolution
 - Arrange times, venues, people and confidentiality promptly
- Those facilitating the process need to be clear in all communications about the process being used and the desired outcome for all involved
 - Make sure agreed communication strategies and the process is clear for all involved
- Those involved need to hold regular, timely meetings to work through the issues and agree the desired outcomes
- Those facilitating the process need to ensure the strategies are implemented and where mistakes made, be willing to try again
 - Ensure there is feedback to ensure the same mistake isn't made
- The Oversight Committee needs to monitor the situation once there is agreement and acceptance; and over time, check all is well
- The Oversight Committee is able to contact the Diocesan Office to ask for assistance and resourcing at any time.

3. Diocesan Assisted Pathway and Steps

The Diocesan Assisted Pathway is initiated by contacting the Diocesan Office to ask the Diocesan Secretary for help. The Diocesan Secretary will ensure support is provided and the parish advised promptly. Tel: 08 9721 2100 or email: secretary@bunbury.org.au

The Diocese may seek to be involved directly if it is concerned the issues are escalating and support and assistance is desirable because of Safe Church, Duty of Care and OSH concerns. In addition, issues to do with insurance may lead to contact being made with the parish to ensure the best processes are being used. Generally, the Diocese is contacted for a range of reasons including:

- Assistance is needed through the Locally Assisted Pathway
- The issues, personalities or processes are complicated and the problem is persistent and or serious
- Those involved want a new approach or additional support.
- Where a grievance or conflict has escalated beyond the ability or capacity of a Church Leader or the Oversight Committee to resolve the issues

- Where the parish or any of those involved want independent help in moving towards addressing the grievance
- The grievance or conflict is about Safe Church or OSH matters
- The grievance involves allegations of bullying
- Concerns about workplace performance where the Church Worker is holding a Bishop's Licence.

Steps

1. The Priest-in-Charge or someone from the Oversight Committee contacts the Diocesan Secretary to request Diocesan intervention, support and assistance. Tel: 08 9721 2100 or email: secretary@bunbury.org.au
2. The Diocesan Secretary will advise who will provide the support.
3. The Diocesan Secretary or someone appointed by the Diocese in discussion with the parish, will do an initial assessment and check the facts of the case and meet with the relevant parties and individuals and provide support and assistance to the Priest-in-Charge and the Diocese in providing a process to work through towards a just outcome and reconciliation for those involved.
4. The Archdeacon will make the decision for any conflict coaching, reconciliation, negotiation or mediation and will work with the individuals to bring this about.

Please Note:

The Parochial Statute 2017-2019 Schedule 5 provides guidelines for managing and working with Church Workers on performance issues.

The Licensing Statute 2017-2019 Schedule 6 provides guidelines for managing issues with clergy persons other than those covered by The Diocesan Tribunal 1985 - 2018 and The Professional Standards Statute 2004.

BULLYING

When the issue is about bullying, a different pathway is followed.

Where the process is about work performance, the Diocese will work with the local Oversight Committee to ensure processes and paperwork and conversations are held appropriately.

Outline of Approaches for 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 a church can come from clergy, coordinators, team leaders or team members, but it most often involves a situation where there is a power imbalance and the person showing bullying behaviours has more power than the person being bullied.

Church bullying does not have to be individual behavior. 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.'

The following examples are NOT bullying:

There are things happening in churches that are not considered bullying, even when these are slightly uncomfortable for those on the receiving end of the behaviours and these include:

- Counseling someone because of concerns about their behavior
- Allocating reasonable tasks to someone in keeping with their ministry or team 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 and asking for changes
- 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 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 on 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 behavior 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
- Spiritual

Physical

The physical aspects of bullying also cover and include violent behaviours 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 sexually 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 acknowledging or 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. Such behaviours and actions 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 efforts 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.

Spiritual

Spiritual abuse means the mistreatment of a child or adult by actions or threats when justified by appeal to God, faith or religion where the individual has suffered, or is likely to suffer, significant harm to his or her wellbeing or development. This might include:

- Withholding access to the Priest or other worship leaders as an exercise of power over someone else to exert pressure for a particular outcome
- Using the name of God and the ability to access liturgy to persuade and exert influence
- Pressuring an individual to participate in worship or church activities to gain approval from God

- Denying access to the church consistently without permission or authority
- Threatening use of information provided in a confidential context within the church
- Ridiculing or minimising faith and practice
- Using fear to persuade attendance at church or to change behavior

Responding to Bullying Behaviours

The key principle is to address the bullying promptly and in the least intrusive and least formal way as the starting point. This might take the following steps:

Personal Options

- Talk to someone you trust
- Seek medical attention and help
- Speak to the perpetrator directly
- Talk to a church leader
- Talk to the Archdeacon

Informal Resolution Process

An informal resolution process aims to ensure the bullying incident is resolved as quickly as possible. Although the 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 all involved.

No investigation or disciplinary process should be started as a result of an informal complaint. Rather, a no-blame approach should be used to assist those 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 behavior.

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

If the informal process fails to reach a resolution, or at any time through the process, the complainant should be advised they have the right to pursue a formal complaint.

Next Steps

If the informal discussions and processes do not result in a satisfactory outcome, then the more formal options must be considered.

Process

A written statement to be provided to the Priest-in-Charge outlining the perceived bullying behaviours.

This will be assessed against what is reasonable in the ministry or parish's circumstances and the alleged behaviours will be reviewed.

If there is no cause for concern, the individuals involved will be encouraged to meet and to share the documentation for full understanding.

A conciliation meeting may be helpful, or conflict coaching can be provided to help prepare for the conciliation meeting or it may be more appropriate to have a negotiated outcomes meeting.

A negotiated outcomes meeting is intended to help decisions to be made about changes in behavior of those individuals involved that might contribute to being able to work effectively together for the future.

The person who has facilitated this process needs to monitor the situation and make sure intentions and behaviours stay on track.

If none of this is appropriate; or, if there is unacceptable behavior that is seen whether or not a formal complaint has been made, it is incumbent on all leaders to be mindful of Safe Church expectations including our Duty of Care and OSH obligations and the leader must initiate a process themselves by reporting it to the Oversight Committee and if necessary, refer the matter for a formal investigation in a timely and respectful manner.

A formal investigation may be undertaken by the Diocese. A formal investigation adheres 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, independent and preferably an external person will carry out the investigation without hindrance or bias and provide a report at the end for the Diocese. It usually includes the following steps:

- Advising the Priest-in-Charge
- Lodging the complaint formally and in writing
- Initial response
- Appointment of an investigator
- The investigation
- The findings
- Appeal
- Access to counselling and / or rehabilitation

- Review

Once the report has been received, the relevant contents will be shared with those involved and expectations discussed and consequences for not abiding with the expectations outlined to enable a fresh start to occur for all involved.

This is led by the Diocese and the Diocesan Secretary will advise who is involved and the process to be followed.

The Archdeacon will advise and determine the way forward following the briefing.