GRIEVANCE POLICY 2021
ST PAUL'S ANGLICAN PARISH, BEACONSFIELD WA

Parish Council's Statement of commitment

The Parish Council of St Pauls has resolved 18 March 2021 to adopt the following policy.

1. **Name of Policy**

This policy is named *St Paul's Anglican Parish, Beaconsfield Grievance Policy 2021.*

2. **Commencement**

This policy commences on 19 March 2021.

3. Statement of Commitment

(a) In accordance with the Parish Governance Statute section 78, St Paul's Anglican Parish, Beaconsfield, Western Australia ("St Paul's") is committed to resolving grievances in a fair, timely, appropriate and effective manner, and wherever possible through mediation, consultation, cooperation and discussion, consistent with Christian principles.

(b) In accordance with *Diocesan Council policy 40.10* adopted 23 November 2016, St Paul's has adopted the *Statement of Commitment – Prevention of Bullying and Harassment,* Annexure 2, which is to be read in conjunction with this policy.

4. Definitions

Word/Term	Definition
Bullying	Repeated behaviour directed to a person or persons which a reasonable person considers having regard to all the circumstances: (a) would victimise, humiliate, undermine or threaten the person or persons; and (b) is likely to pose a real risk to the health and safety of the person or persons; noting that ALL violent behaviour which is not self-defence is regarded as unacceptable.
Complainant	A person who has lodged, or is considering lodging, a grievance or complaint
Church Worker	Any person who is or at the relevant time was: (a) a member of the Clergy, licensed or unlicensed, in the Parish; (b) an ordination candidate;

	(c) a Parish Council member; (d) a person employed or a volunteer engaged by the Parish; (e) a person holding a position or performing a function with the apparent or actual authority of the Parish Council or Clergy.
Discrimination	Treating someone unfairly or differently because of – their sex, pregnancy, race (including colour, ethnicity and descent), disability, sexual preference, religion, transgender, carer's responsibilities, marital status, social origin, political belief, employee association activity, irrelevant criminal record or age. Discrimination also includes treating someone the same as someone else, but where the result of doing this unreasonably disadvantages substantially more people of that person's sex, race, disability, etc.
Grievance	A concern or complaint about unfair treatment, discrimination, harassment, vilification or bullying which are not otherwise managed under a separate resolution or complaint procedure.
Harassment	Unwelcome conduct, whether intended or not, in relation to a person where the person reasonably feels in all the circumstances offended, belittled or threatened and which has caused or is likely to cause physical or mental harm including self-harm; noting that ALL violent behaviour which is not self-defence is regarded as unacceptable.
Investigator	A person with the delegated authority to investigate grievances.
Mediation	A process that facilitates dispute resolution in which someone who has professional mediation skills (usually called a mediator) helps the aggrieved parties reach a joint agreement that suits everyone concerned. He/she is neutral, does not influence the outcome, and helps parties to consider all possible solutions.
Rector	The member of clergy duly licensed by the Archbishop to the charge of St Paul's.
Respondent	A Church Worker, Ministry Leader, volunteer or person whose action or behaviour is complained about in a grievance.
Staff	A person employed by St Paul's
Victimisation	Any retaliatory action towards a complainant, witness or any other person involved in the resolution of a complaint or grievance
Vilification	Anything that happens publicly that could encourage hatred, serious contempt or severe ridicule of a person or group of people.

5. Mandate

a) This policy is authorised by:

- Matthew 18:15-17
- Parish Governance Statute section 78
- *Diocesan Council policy 40.10 Statement of Commitment – Prevention of Bullying and Harassment,* Annexure 2.

b) This policy does not override any rights, responsibilities and remedies in the separate resolution or complaint procedures found in legislation of the Commonwealth of Australia or the State of Western Australia or statutes and policies of the Anglican Diocese of Perth, each of which respectively shall prevail in the event of any inconsistency with the terms of this policy.

6. Abbreviations

ADP – Anglican Diocese of Perth.

St Paul's – St Paul's Anglican Parish, Beaconsfield, Western Australia.

7. Application

This policy applies to any person who attends or visits St Paul's including the Rector, Church Wardens, Parish Council and any other church worker at St Paul's, who has a grievance in relation to an incident or behaviour occurring at St Paul's or at an activity or ministry run by St Paul's.

8. Matters

Matters excluded from being dealt with under this policy are: -

- Irregularities in Parish Governance;
- Privacy;
- Protected disclosure;
- Corrupt conduct or maladministration;
- Staff recruitment, appointment, reclassification, probation, and conditions of employment for staff;
- Workers compensation.

9. General Principles

The prime objective of St Paul's Grievance Policy is to achieve a resolution of a grievance according to the following principles:

a) Maintaining strict confidentiality gives all parties confidence in the procedure, minimises the disruption caused by gossip and rumour, can prevent escalation of the situation and/or possible victimisation, and can minimise the risk of defamation claims. Therefore, all communications, whether written or verbal, with respect to a grievance or its investigation and resolution will be kept in strict confidence.

b) Grievances shall be handled within an appropriate time frame and will be treated sensitively and impartially having regard to procedural fairness;

c) All parties involved are expected to approach proceedings with a desire to resolve the grievance co-operatively and in good faith;

d) Individuals shall not victimise or harass other parties involved in the matter;

e) Confidentiality shall be strictly observed by all participants and at all stages of the procedure;

f) Complainants and respondents will be informed of the outcomes;

g) Grievance relating to a serious grievance or misconduct will be treated according to the ADP Professional Standards Statute and associated policies and protocols.

10. Grievance Procedure

1) A grievance should be clearly described in writing or verbally to the Rector or a Warden.

   a) Where the initial report is made verbally, the Rector or Warden to whom the report is made will make a record of the pertinent details of the report, including the date of the report and the identity of the complainant and respondent. Before proceeding further, the Rector or Warden to whom the initial report is made will confirm with the complainant the accuracy of the written record. Where possible, the complainant will sign a copy of the written record or if this is not possible then the Rector or Warden to whom the initial report was made will endorse the record with the date upon which they confirmed the accuracy of the record with the complainant.

b) At the time the report is received the complainant will be advised that the grievance process requires that the respondent be informed of the name of the complainant.

c) The complainant may withdraw the grievance at any time and this process will thereafter cease. However, any documentation produced under this procedure up until the time of withdrawal shall be kept by St Paul's.

d) Except when they are the respondent in the grievance all Wardens and the Rector must be informed by the person to whom the initial report was made as soon as practicable after a grievance is received. When the grievance is in relation to a Warden or the Rector that person will be informed at such time as the respondent would normally be informed under this policy.

e) Except where they are the respondent in the grievance the Rector or Wardens may act as the Investigator or jointly appoint a suitable person to act as the Investigator. Where a Warden or the Rector is the respondent, they will have no part in the appointment of the investigator.

2) The Investigator will:

a) Inform the respondent that a grievance has been received, the general nature of the grievance and the name of the complainant.

b) Interview the complainant to obtain such information as they consider necessary or desirable to understand the nature and circumstances of the grievance;

c) Interview the respondent to obtain such information as they consider necessary or desirable to understand the respondent's perspective in relation to the grievance;

d) Interview such other people as the investigator feels are necessary to determine the facts of the matter;

e) Determine as far as possible an objective account of the circumstances which gave rise to the grievance and whether there is a case to answer;

f) If the investigator determines that there is no case to answer the complainant and respondent will be advised in writing setting out the investigator's reasons for so determining;

g) If the investigator determines that there is a case to answer the investigator will look for positive ways to resolve the issue and negotiate with the complainant and respondent to agree upon a specific action plan with a defined timeframe. The action plan will be in writing and signed by the investigator, complainant and respondent;

h) The investigator may seek such assistance from the diocese or external expertise as they consider desirable to reach a satisfactory conclusion to the grievance;

i) The investigator shall maintain oversight of the action plan until such time as all actions are completed.

3) The investigator shall ensure that all steps in this process are documented and that copies of any documentation are securely stored at St Paul's.

4) If the Wardens determine that there is a case to answer in regards to the Rector, they are to take the matter to the Bishop to resolve the issue or encourage reporting to the ADP Director of Professional Standards or the Professional Standards Council.

5) If the grievance is not resolved within a reasonable time given the nature of the grievance then the investigator must refer the matter back to the Rector and Wardens for reconsideration.

11. Requirement of Confidentiality

a) St Paul's will comply with the ADP Privacy policies in respect of any matters arising under this policy.

b) The investigator of a grievance shall inform all parties of their responsibilities in relation to confidentiality. In particular:

   a. Complainants should discuss issues relating to the grievance only with the grievance investigator, a support person, and with medical practitioners or counsellors who are bound by confidentiality codes. Complainants should be advised that, after lodgement of a grievance, discussion of the matter with any other person is inappropriate and not in their best interests as it may unduly complicate the matter leave as well as open them to the possibility of defamation actions. Where the complainant chooses to discuss the matter with a support person the complainant must inform the support person of the obligation of confidentiality.

   b. Respondents should discuss issues relating to the grievance only with the grievance investigator, a support person, and with medical practitioners or counsellors who are bound by confidentiality codes. Where the respondent chooses to discuss the matter with a support person the respondent must inform the support person of the obligation of confidentiality.

   c. Investigators must obtain the consent of the complainant before disclosing the complainant's identity to any person other than the respondent, unless

St Paul's duty of care or other obligations may be compromised if action is not taken. Investigators may discuss the matter in the context of getting advice from the diocese or specialist persons under the terms of this policy.

c) St Paul's Staff with supervisory responsibility must take steps to manage situations where confidentiality has been breached to prevent where possible further breaches of confidence, to minimise the spread of gossip and innuendo and to maintain relationships within the church. For example, where a whole ministry group is aware of the existence of a grievance between two colleagues, and/or where there is gossip and innuendo circulating in the group in relation to the matter, the Rector should immediately intervene in an attempt to ensure that all discussion of the matter ceases.

12. Policy Review

This policy should be reviewed by the St Paul's Parish Council every 12 months.