



Anglican Diocese
of Adelaide

POLICY:	GUIDE TO RESOLVING GRIEVANCES
DATE POLICY DEVELOPED:	SEPTEMBER 2013, REVIEWED SEPTEMBER 2016
NEXT REVIEW DUE:	SEPTEMBER 2018

INTRODUCTION

The goal of this policy is to honour God, treat people with respect and encourage good relationships within the Anglican Diocese of Adelaide. In today's changing world, people, systems and processes are continually under pressure to adapt, learn and innovate. This requires creating and maintaining a wide range of productive relationships. In such a dynamic environment, issues, problems and conflicts are inevitable.

Fostering a culture and practices that support productive and positive relationships is a complex, ongoing task to which everyone contributes. It includes encouraging a climate and culture that addresses and resolves disagreements and relationship challenges and, whenever possible, reduces the risk of issues and potential conflicts becoming entrenched grievances.

In committing to fostering a safe, harmonious and productive environment for all, the Anglican Diocese of Adelaide has developed a broad strategy that is designed to improve the way we manage grievances, thereby building trust and confidence in the resolution process.

POLICY STATEMENT

The Anglican Diocese of Adelaide is committed to the resolution of grievances in an equitable and timely manner.

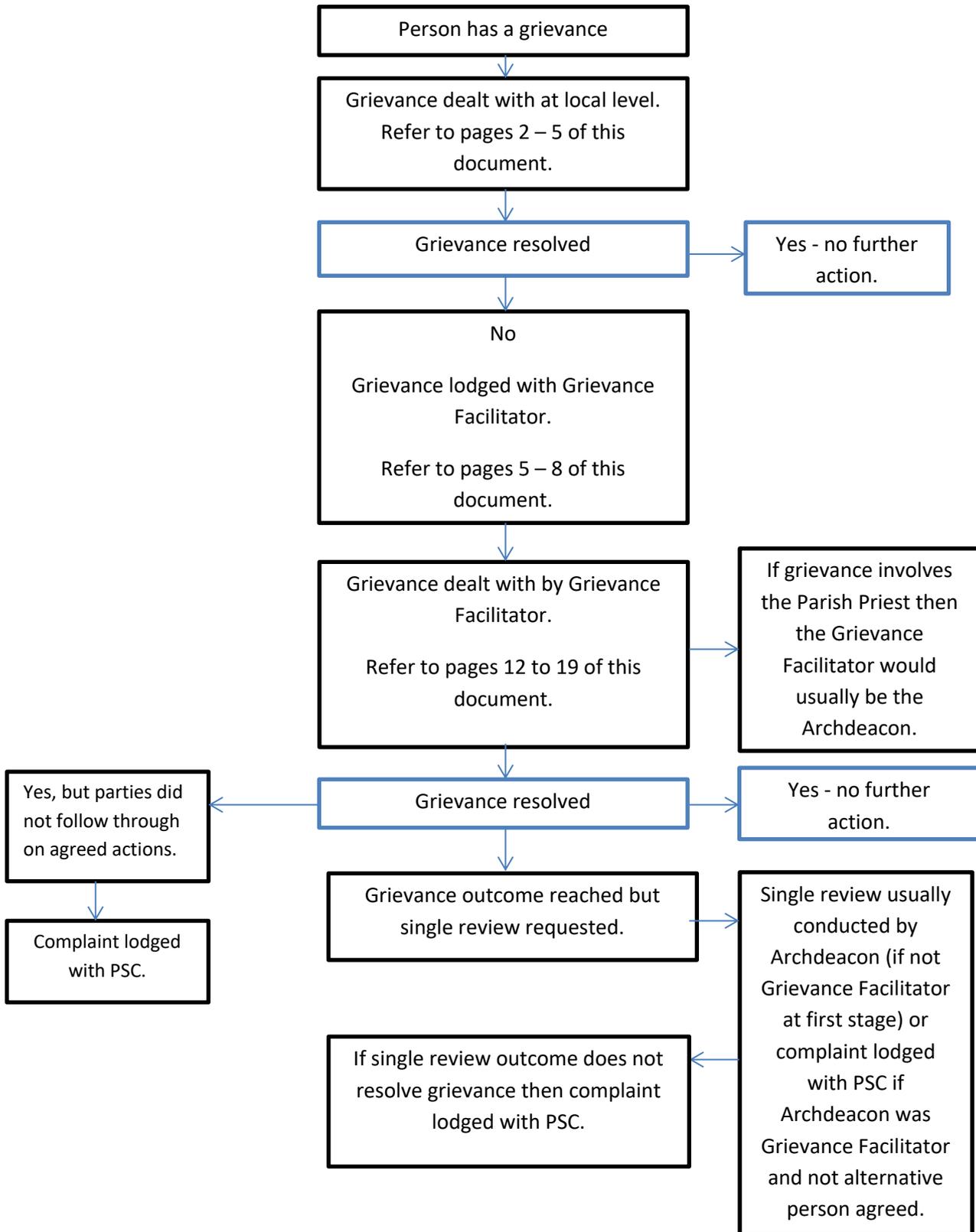
Everyone has a right to have a grievance heard without fear of unfair treatment or victimisation and to have their privacy protected.

If a complainant does not believe the issue is being resolved, recourse will be available to increasing levels of authority to promote a resolution.

The resolution of a grievance will be managed by a person who has the knowledge, expertise and authority to attempt to resolve the particular grievance.

FLOWCHART

The following flowchart identifies the steps to be followed to resolve grievances.



RESOLVING GRIEVANCES AT THE LOCAL LEVEL

'The purpose of this section is to assist in resolving grievances before they escalate to the stage of lodging a formal grievance.'

Grievance or conflict situations involve two or more people with different expectations and views, each one taking a position and acting on what they believe is right. In addition, the organisation has a perspective that must also be taken into account.

The purpose of this section is to assist people to resolve grievances before they escalate to the stage of lodging a formal grievance. The objective is to provide information that enables them to act constructively on their own behalf to:

- Clarify and understand their situation
- Access the help they may need
- Choose the best approach to suit their situation
- Know when it's appropriate to escalate to a formal process.

What is a grievance?

Grievances are often the result of unresolved issues, problems, or conflicts that have been avoided or not addressed to the satisfaction of those involved. Examples include a person:

- Feeling they have been unfairly treated by others;
- Being excluded or experiencing discrimination;
- Being the butt of continual jokes and/or taunted in a way that they find offensive;
- Fearing that decisions or processes in their group are unethical, or even illegal;
- Feeling afraid to complain about something because they fear the consequences from another person;
- Feeling that a decision that directly affects them doesn't take into consideration all of the facts, and that their issues or concerns haven't been heard.

What does the policy say about dealing with grievances?

In the first instance, resolution of issues through personal action at the local level is encouraged. Where someone feels that an action is unreasonable, unfair or has an unduly negative impact on an individual or group, they should take up their concerns directly with the people involved where possible. Early action at this level generally provides the best opportunity for positive resolution.

Many issues arise every day. Which ones should be addressed?

It's important to differentiate between a minor issue that creates passing annoyance or irritation and an issue that is more serious. Issues that affect our sense of worth, challenging relationships, or threaten our future are examples of issues that need to be dealt with.

A way to decide if an issue needs to be addressed is to determine whether it is causing a problem that is likely to become worse if nothing is done to resolve it. For example, are increasing numbers of people becoming involved? Is there a feeling of hopelessness? Is the situation intolerable? Is avoidance no longer an option?

'A way to decide if an issue needs to be addressed is to determine whether it is causing a problem that is likely to become worse if nothing is done to resolve it.'

When is personal resolution of a grievance not an option?

Some things should not be confronted or addressed at a personal level but should immediately be reported to the Director of Professional Standards and other appropriate government bodies. These include unlawful or criminal acts such as physical or sexual assault, fraud, threatening behaviour or verbal abuse.

What might be personal considerations when addressing grievances?

Many of us feel reluctant to address things directly. We're busy, or the whole thing just seems 'too hard.' We may feel trapped because the issue relates to someone in a position of power. At the personal level, we may feel apprehensive about making ourselves vulnerable or dealing with strong feelings. In these situations, because the outcome is uncertain, we may be unsure as to whether or not to proceed and the best way to do so.

What may be done about it?

1. Clarify the grievance – the toolbox exercise on the following page may help.
2. Seek assistance: go to the help page.
3. Take personal responsibility in the situation.
4. Discuss confidentially.
5. Be open to new solutions.
6. Make the first move towards a reconciliation.
7. Create constructive solutions that will work for each person involved.
8. Remain flexible and adapt to the process as it unfolds.

Toolbox exercise

Clarifying a grievance situation

This reflective exercise can be undertaken by each person directly or indirectly involved in a grievance situation. The aim is to broaden the perspective and understanding of the situation from all positions, and to help each person decide how to proceed.

- a) Describe or map the grievance situation:
 - I. What factors led to this situation?
 - II. What continues to happen that is offensive or exacerbating the situation?
 - III. What attitude do you hold, or what do you do to contribute to the situation?
 - IV. What is the effect of this situation on you and your work?
 - V. How does the situation affect others?
- b) Describe what would be happening differently if the situation were satisfactorily resolved:
 - I. How would you feel and how would you be acting?
 - II. How other people would be feeling and acting?
 - III. What would this mean for relationships?
- c) Look at the questions in a) and b) above again, this time answering them from the perspective of the other person involved in the situation?
- d) Determine the negative potential of the situation (will it worsen if left unresolved?), and decide whether to take action or let it heal with time.
- e) Plan to act constructively:
 - I. Identify your concerns. Consider the prospect of facing the situation. What is your greatest concern: for example, 'It's not a safe environment', 'I'll be made to look stupid', 'I'll be punished', 'The result will impinge negatively on me', 'The decision was reasonable, but I don't like it'.
 - II. Describe the most positive outcome to be gained by directly addressing the problem/conflict or taking other action.
 - III. Choose the people and resources that could help to address the issue. For example, more information from other policies and procedures, assistance and advice from others, someone to act as a mentor, or coach or to offer counsel, someone to act as mediator or observer.
- f) Summarise the factors that are clear or stand out for you, for example:
 - I. How the problem appears now
 - II. The outcome you desire and next steps
 - III. What you might do differently.

Who can help?

There are many people and resources to assist those considering their options and acting on their own behalf to address the situation; for example, a friend, a local parish priest, mentor or professional help. If unsure about where to go for assistance, the help page at the end of this document provides a useful list of contacts.

How can safety and confidentiality be ensured?

The policy states that people have the right to have their privacy protected and to be supported in dealing with grievances. In addition, they are encouraged and expected to act constructively on their own behalf. If you discuss a sensitive issue with another person, request that they respect your confidentiality and be prepared to show the same respect for others.

‘The policy states that people have the right to have their privacy protected and to be supported in dealing with grievances.’

LOGGING A GRIEVANCE – THE COMPLAINANT

The purpose of this section is to assist you to lodge a grievance confidentially. The objectives are to:

- Provide information that enables you to seek formal intervention by a representative of the Diocese to facilitate a satisfactory resolution of your issue(s);
- Assist you to understand the grievance resolution process;
- Ensure you know how and where to go for help.

What is a grievance?

A grievance is a notice to the Diocese that a person is protesting against what she/he perceives to be an inappropriate, unfair or offensive act against him/her by another person, and that intervention by another person or higher authority is requested or necessary. Formalising a protest against someone in this way is a serious step.

What are the consequences of lodging a grievance?

If you lodge a grievance, you are essentially requesting that the Diocese takes control of the grievance resolution process. This means that while you are engaged as an active participant and contribute to the final outcome, the Diocese representative may need to take responsibility for directing the process or deciding that the matter cannot be appropriately resolved through this process.

How do I decide whether to proceed with a grievance?

Consider the following indicators to assist you to decide whether lodging a grievance is justified and appropriate:

- You have explored and tried different ways of raising or confronting the issue to no avail.
- The issue has become untenable; for example, it involves others, divides people, and/or continues to grow unabated.
- The behaviour of another is having a negative impact on you and continues without regard to your expressed wishes.
- Raising the issue with someone within your parish or other Diocesan context would expose you to further abuse.
- You have tried different approaches but have been unable to resolve the issue satisfactorily.
- In your judgement, the issue requires intervention at a more formal level.
- The serious nature of the issue justifies or requires lodging a grievance.

In the final analysis, it is your decision whether one or more of these indicators justifies escalating the grievance.

Who will be involved?

Several people may be involved in a grievance resolution process:

- The person who makes the complaint (complainant);
- The person who is named and against whom the grievance is made (respondent);
- The officer who manages the grievance process (Grievance Facilitator), usually the Parish Priest;
- Any person(s) authorised by parties to the grievance.

How do I begin?

You initiate a formal resolution process by lodging your grievance in writing with your Parish Priest. (refer to the Grievance Notification Form at the end of this document). Alternatively, the Parish Priest and the parties could agree on an appropriate Grievance Facilitator, eg another Church Worker or other mutually respected person. If your Parish Priest is the subject of your grievance or is perceived to be in some way associated with it, then you may lodge the grievance with the next appropriate senior person, i.e. the Archdeacon of the region. There may be circumstances (e.g. risk to safety or unlawful conduct) where it is more appropriate to lodge your complaint with an alternative senior officer. Alternatively, the Archdeacon and the parties could agree on an appropriate Grievance Facilitator, e.g. another Archdeacon, Assistant Bishop or other mutually respected person. If agreement can't be reached on who would be an appropriate Grievance Facilitator or there are special circumstances that make using this process inappropriate (eg risk to safety or unlawful conduct) then the person with the grievance could make a complaint to the Professional Standards Committee (PSC) without using the grievance procedure.

'You may wish to talk through the issue(s) with someone you trust in order to clarify the grievance and consider the outcome or remedy you seek.'

How to do I prepare a written grievance?

You may wish to talk through the issue(s) with someone you trust in order to clarify the grievance and consider the outcome or remedy you seek.

Write succinctly, using the following guide to help you:

- Describe the nature of the grievance.
- Give the details of the circumstances (Who? What? Where? When? How?).
- Provide evidence:
 - Do you have documentation?
 - Are there witnesses?
 - How else can you prove your allegations?
- State the outcome you seek.
- If your preferred outcome is not achievable, state a reasonable alternative.

What happens with my grievance?

The Diocese recognises the seriousness of receiving a written grievance and the need to manage the resolution process and settle the grievance in a timely and responsive way.

After you have lodged your grievance, the Grievance Facilitator will:

- Acknowledge receipt of the grievance and discuss it with you;
- Assess the nature and substance of the grievance;
- Work with you to determine the best approach;
- Takes steps to provide for your safety and wellbeing;
- Communicate about the process of resolving the grievance;
- Recommend options for a resolution of the matter, for example:
 - Conference with the parties to negotiate a resolution
 - Investigation of the facts
- Implement strategies for a final settlement of the matter.

What can I expect from the Grievance Facilitator (person dealing with the Grievance)?

You have a right to be heard and treated fairly and justly. The Grievance Facilitator is your point of contact in the process and you can expect to be consulted, given a timeframe for resolution, and kept informed about what is happening with your grievance.

How will my safety and confidentiality be ensured?

You have a right to have your privacy protected, but you also have a responsibility to respect the same right in relation to the other person(s) involved. You also have a responsibility to act with

those assisting you, to create a safe environment for yourself during the grievance resolution process. You may, for example, consider having a support person attend any interviews with you.

You may talk about your grievance with a close friend, family member or mentor, however, be mindful that confidentiality must be adhered to throughout the grievance resolution process. This helps to protect personal privacy and assists in making people feel safe during the grievance resolution process.

What if I'm not happy with the final outcome?

You can apply to the Archdeacon of the region or another mutually agreed person for a single review of the final outcome. However, you must provide sound reasons for your belief that the final outcome was not appropriate, adequate or reasonable in the circumstances. This person then makes the decision either to initiate a single review or to uphold the original outcome. It's important to understand that grievance resolution may not give you the exact outcome you want, but is intended to provide a solution that is both reasonable and acceptable in the circumstances.

RESPONDING TO THE GRIEVANCE – THE RESPONDENT

The purpose of this section is to assist you to either:

- Engage constructively in resolving grievances at the local level
- Deal constructively with a grievance made against you.

If you are party to a conflict situation or have had a grievance lodged against you, this means that an action, behaviour or decision by you has been perceived by another person to be offensive, inappropriate or unacceptable. You may be unaware of any impact of your actions on another person and feel shocked, or perhaps you feel frustrated with the complainant and justified in your actions.

Regardless of the intent behind your decision or action, the other person has been directly affected in a way that has impeded your relationship. In the longer term, if such a situation continues, the relationship may become strained or dysfunctional. Conflict situations may not be welcome or comfortable, but are best approached as opportunities for reflection, learning and positive change.

'Conflict situations may not be welcome or comfortable, but are best approached as an opportunity for reflection, learning and positive change.'

Being engaged in a grievance situation at the local level.

Where situations that have a negative impact on relationships are ignored or remain unresolved, the issues may become blown out of proportion – people become polarised and strong feelings become entrenched. Once people have adopted polarised positions, it takes courage, positive intent, and skill to unravel grievances and find a resolution that satisfies all those involved. Each person involved in a conflict situation or grievance has a responsibility to address the difficulties associated with the situation so that energy is freed for the achievement of positive outcomes.

How do I approach the situation if I'm perceived to be the cause of a grievance?

Be proactive and, if possible, engage and resolve the situation before positions become entrenched.

- Recognise and address issues and differences at the stage where they elicit questions rather than accusations, and irritation rather than frustration or possibly rage.
- Respond rather than react. This is not easy if the confrontation comes as a surprise to you. Take a deep breath or take time out to consider the situation (see the toolbox exercise below).
- Be part of the solution, try to listen to the grievance from the perspective of the other person.
- Acknowledge the other person's experience and feelings and, importantly, what meaning the situation may have for them.
- State your own position clearly, using evidence to make your case, and describe how you feel rather than becoming defensive.

How do I help myself in this situation?

Few people find it easy to participate constructively in resolving conflict or tense situations involving different views. It may assist you to take time to reflect on your own position and on the wider situation or seek appropriate advice. The following toolbox exercise may assist you.

Toolbox exercise

- a) Describe or map the grievance situation from your perspective:
 - i. What things led to this situation?
 - ii. What continues to happen that you want to change?
 - iii. What attitudes do you hold and what actions do you take that may contribute to the situation?
 - iv. What is the effect of this situation on you and your work?
 - v. How does this affect others?
- b) Describe what would be happening differently if the situation were satisfactorily resolved.
 - i. How would you be acting?
 - ii. How would the other person be acting?
 - iii. What would you feel?
 - iv. What would this mean for you (your working relationships, your career) in the future?
- c) Look at the questions in a) and b) again, this time answering them from the perspective of the other person(s) involved in the situation.
- d) Determine the negative potential of the situation and choose how to respond.
- e) Plan to be involved constructively:
 - i. Identify your greatest concern (e.g. the work being done is not satisfactory, the agreed outcome affects me negatively).
 - ii. Describe the outcome you want to achieve for yourself and for the relationship.
 - iii. Choose the people and resources you need to help you address the problem/conflict. Do you need:
 - i. More information about the legislation, situation, your rights and responsibilities etc;
 - ii. Assistance and advice;
 - iii. Someone to mentor or support you;
 - iv. Someone to act as a mentor or witness?
- f) Write down the factors that are clear now and what you might do differently to affect the behaviour or situation and be willing to raise these in conversations with the parties involved.

If a grievance is made against you.

In lodging a grievance, the complainant escalates the situation from possible face-to-face resolution to requesting intervention. If named as a respondent, you will be contacted by the Grievance Facilitator and given an opportunity to respond. Depending on the nature of the grievance, you may be invited to participate in a resolution process that will consider your response.

What can I expect?

You can expect, and have a right to:

- Fair and impartial treatment.
- Information about the allegations made against you.
- Reasonable opportunity to make a response.
- Communication about the process of resolving the grievance.
- Confidentiality.
- Advice and support.

What if I'm not happy with the grievance process?

If you believe that there has been a serious irregularity in the process, or that you have been the subject of prejudice or treated unfairly during the process, you may apply to the Archdeacon of the region or other mutually agreed person for a single review of the process. You have to provide sound reasons for seeking a review before the reviewer will make a decision on whether or not to initiate a single review.

Where can I get help?

There are people and resources available to assist or support you and provide information, advice or appropriate referrals.

You may wish to have a friend act as a support person for you or seek assistance from an independent professional or impartial third party who has no knowledge of the situation. If you're unsure about where to go for assistance, the help page at the end of this document provides a useful list of contacts.

'There are people and resources available to assist or support you and provide information, advice or appropriate referrals.'

MANAGING THE GRIEVANCE – THE GRIEVANCE FACILITATOR

The purpose of this section is to assist the Grievance Facilitator to manage the formal grievance process following receipt of a grievance. The objectives are to:

- Provide information that enables you to act confidently in your role
- Enable you to access the resources and support you need.

Why have a Grievance Facilitator?

It's important for a person who lodges a grievance to feel confident that the Diocese will treat that grievance as a serious matter. Once a grievance is received, the Diocese undertakes the responsibility for managing it from that point through to final resolution. The Grievance Facilitator assumes the responsibility for the overall management of the resolution process, including actively attempting to restore the working relationship between the parties to a grievance.

'It's important for a person who lodges a grievance to feel confident that the Diocese will treat that grievance as a serious matter.'

What is my role?

As the Grievance Facilitator, your role is to:

- Ensure that you manage the complaint process in accordance with this policy;
- Ensure that you have a detailed knowledge and understanding of the Grievance Resolution Policy & Procedure as defined in this document
- Assess the grievance and determine the most appropriate approach to effect a resolution;
- Manage the resolution process as defined in the following paragraphs;
- Act as a point of contact for the parties involved and actively communicate with them;
- Coordinate the tasks that need to be undertaken in the resolution process;
- Ensure that all parties are treated fairly and with confidentiality;
- Facilitate and support a safe and positive environment for all those involved;
- Recommend and attempt to negotiate strategies to bring about a settlement of the matter;
- Make recommendations to the person who has authority to facilitate any future actions if this is not yourself;
- Maintain written records.

The Grievance Facilitator is responsible for the overall management of the grievance resolution process from the assessment of the grievance and implementation of an appropriate resolution approach (Conference with the Parties or Investigation) through to final settlement. It should be noted, however, that where the Grievance Facilitator does not have the authority to facilitate a particular agreed action, the role is limited to making recommendations only.

There may be circumstances or situations where it is desirable for the Grievance Facilitator to be someone from Church office or another parish; for example, grievances involving sites with a limited number of parishioners where it may be advantageous to assign a Grievance Facilitator who does not have an ongoing relationship with the site.

The Grievance Facilitator may authorise if the parties agree, a person (or persons) to undertake part(s) of the resolution process on their behalf. The extent of any authorisation will be determined by the nature and substance of the grievance and the capacity and/or authority of the Grievance Facilitator to manage the process effectively to achieve a reasonable resolution.

It is not envisaged that the role of the Grievance Facilitator will be an ongoing role associated with a particular person. Rather, it is a role that is negotiated, generally with an individual based on his/her involvement in a particular grievance resolution process.

The sample grievance management form provided at the end of this document may be of assistance to Grievance Facilitators, who can modify or adapt it to suit their needs.

How do I go about it?

This procedure aims to identify the underlying principles to resolve a grievance and to provide guidance for grievance handling. The procedure is not necessarily intended to provide a step-by-step outline of all the actions that must be taken to resolve a grievance.

As the Grievance Facilitator you are expected to:

- Acknowledge receipt of the grievance in the first instance;
- Make an assessment of the grievance;
- Determine an appropriate option for resolution;
- Consult and clarify with the complainant the issue(s), options and outcome sought;
- Provide information/allegations to the respondent;
- Ensure the respondent has reasonable opportunity and assistance to respond;
- Communicate with the parties and determine a resolution timeline;
- Facilitate and coordinate the process (e.g. conduct interviews or authorise another agreed person to act on your behalf);
- Recommend strategies and encourage implementation of an agreed final outcome;
- Document all aspects of the process and maintain a confidential file.

Timelines and acknowledgement of the grievance

When implementing the above procedure, complainants should be advised of the receipt of their grievance within three (3) working days.

As part of acknowledging the grievance, the complainant should be advised of:

- The assessment process;

- Who the contact person (Grievance Facilitator) is and any support persons who may be involved in the grievance resolution process.

The Grievance Facilitator should keep all parties informed of the progress of the resolution process and expected timelines for settlement of the grievance. It is expected that every effort will be made to effect resolution as soon as possible.

Within fifteen (15) working days of receipt of the grievance, the Grievance Facilitator is required to have either concluded the resolution process and settled the grievance, or informed the parties about the intended steps to manage the resolution process and the indicated timelines.

'It is expected that every effort will be made to effect resolution as soon as possible.'

Assessing the Grievance

The Assessment of a grievance is arguably the most critical part of any successful grievance handling process. As the first step following lodgement of the grievance, the assessment aims to identify and determine:

- The nature of the issues involved and the remedy sought; that is, what has happened to cause the complainant to be aggrieved and what outcome or remedy does she/he seek as a result;
- The initial facts of the matter and any relevant information;
- The most appropriate person to manage the grievance resolution process;
- Appropriate resolution options; for example, whether the complainant is seeking a negotiated resolution approach or whether the grievance should be immediately referred to the Professional Standards Committee.

The critical analysis of the actual purpose of the grievance will necessitate careful consideration with the complainant. The complainant will also be asked to nominate her/his preferred resolution approach and her/his expected outcome. This is best achieved through an interview with the complainant and taking an active listening approach. It is important that following such discussion, the outcome of the discussion is confirmed with the complainant in writing.

Assessing Resolution Options

The various resolution options are examined in the following section headed Options for grievance resolution. In keeping with this policy, negotiated resolution is considered to provide the best opportunity for maintaining good relations in the working environment, thus promoting an equitable, safe, productive, cooperative, constructive and healthy environment for all.

However, through the assessment process, and based on the seriousness of the presenting issues and the remedy sought by the complainant, a decision can be made as to whether the grievance is appropriate, or requires referral to the Professional Standards Committee.

When assessing a grievance, indicators for Formal Investigation by the Professional Standards Committee include:

- The Church's legal obligation to address a serious issue such as an allegation of misconduct;
- The likelihood of a complainant initiating legal proceedings or pursuing a legislated process following grievance resolution;
- Significant health, safety and welfare issues arising for any of the parties if a less formal process is followed;
- The repeat nature of matters complained about involving the same respondent;
- Failure by the respondent to cooperate during a Conference with the Parties approach.

Options for grievance resolution

After obtaining advice from an appropriate person (or persons), an aggrieved person may seek to personally address and resolve the issue(s) between themselves and the other party without lodging a grievance. This approach does not involve the assistance of a third party and is an option for resolution only prior to lodging a grievance with the Diocese. If appropriately handled, this approach can contribute significantly to maintaining positive relationships, safety and wellbeing, and prevent escalation through the involvement of third parties.

If, however, a grievance has been lodged and assessed, the Grievance Facilitator will inform the complainant and the respondent of the outcome of the Assessment. This includes:

- A summary of the issues underpinning the grievance and the remedy sought;
- Confirmation that the grievance is appropriate to be managed by this process;
- Confirmation that the Grievance Facilitator has been deemed appropriate to manage the resolution process and the parties have agreed to the particular Grievance Facilitator;
- The resolution options available given the nature of the grievance;
- The proposed timeline for resolution.

Conference with the Parties

If, upon assessment of the grievance, the Grievance Facilitator determines that a Conference with the Parties is the most appropriate resolution approach to take, the cooperation of the parties to a grievance will be sought to encourage their active participation in the process.

Conferencing brings the complainant and the respondent together to negotiate a resolution. The process of negotiation between the parties seeks to resolve the grievance through identifying a way forward rather than determining wrongdoing. The Grievance Facilitator acts as an impartial facilitator in this process and negotiation may be undertaken with or without the assistance of other parties, such as an external facilitator. In some situations it will be appropriate for the parties to be in separate rooms; for example, to manage a power imbalance between the parties. Conferencing in this situation is to be conducted using a shuttle approach between the parties.

Wherever possible, negotiated resolution options through a Conference with the Parties will be explored with all parties involved in the grievance. A negotiated resolution is considered to provide

the best opportunity for maintaining good relations, thus promoting an equitable, safe, productive, cooperative, constructive and healthy environment for all.

‘The process of negotiation between the parties seeks to resolve the complaint through identifying a way forward rather than determining wrongdoing.’

Investigation of the facts

An Investigation of the facts occurs when there is a need for a systematic and detailed examination of the circumstances leading to the grievance to determine whether inappropriate behaviour has occurred and the need for, and nature of, any further action. Information is gathered in relation to the allegations and is used to determine a finding and inform a recommended resolution.

Based on the seriousness of the presenting issues and the remedy sought by the complainant, a decision will be made as to whether the grievance is appropriate for, or requires referral to the Professional Standards Committee rather than processing to an investigation of the facts under this policy. Some situations will, however, require that matters be referred to the Professional Standards Committee even when a negotiated resolution or investigation under this policy has been requested.

External agency

Complainants have the right (where available) to lodge a grievance with an external agency. It should be noted that external agencies may have an expectation that the grievance will be addressed in the first instance using the Diocese’s internal processes. The grievance may be directed to an entity or agency external to the Diocese.

Achieving Resolution

Opportunity to be heard

Procedural fairness requires that all parties to a grievance have the opportunity to be heard and are treated fairly and without bias. It is important that a complainant have an opportunity to voice concerns and be listened to. Respondents are entitled to know, and have provided to them in writing, the details of the allegation(s) made against them prior to any scheduled interview in order to exercise their right to respond.

Complaint unsubstantiated with explanation

If, in the course of the grievance resolution process, it is found that there is insufficient evidence to substantiate a grievance, both the complainant and the respondent will be advised of the circumstances that have led to this finding. The explanation provided may be of itself a reasonable outcome leading to resolution of the matter. If the complainant is dissatisfied with this outcome, she/he may seek a single review, but must give reasons for requesting this further action.

Consequent action

If discussion itself has been sufficient to resolve the grievance, then no further action is necessary beyond recording the discussion and ongoing monitoring for a reasonable period of time. In other cases, exploration of the cause of the problem may suggest a need for further action and an attempt should be made to agree on consequent action.

Any consequent action that is agreed between the parties to be appropriate, may, depending upon the circumstances, include but is not restricted to:

- A mediation conference
- An apology
- Referral to counselling
- The respondent to undertake appropriate training courses.
- An undertaking by the respondent to change their behaviour
- Reallocation of tasks
- Recommendation of systemic change

It is the responsibility of the Grievance Facilitator to ensure that recommendations for systemic change are brought to the attention of the appropriate personnel at the conclusion of the grievance resolution process. Such recommendations may include, for example, the need for training and development activities with a group of parishioners as identified through the grievance resolution process, or the review of aspects of a Diocese procedure.

‘The grievance resolution process must be a fair, non-discriminatory and impartial process.’

What should I do if it is inappropriate for me to be the Grievance Facilitator?

The grievance resolution process must be a fair, non-discriminatory and impartial process. If there is a belief or perception to the contrary, confidence in the process will be eroded and resolution of the grievance will be impeded or even avoided.

It will be inappropriate for you to be the Grievance Facilitator in a situation where you:

- Are named in the grievance as the respondent

- Are, or seen to be, associated with the grievance
- Are perceived as biased
- Have, or are seen to have, a conflict of interest.

If, for any of the reasons above, you are deemed inappropriate to manage a grievance, the grievance must be referred to the next appropriate senior Facilitator or alternative Diocese officer or other person agreed by the parties.

How do I manage the strong feelings associated with conflict situations?

Grievance resolution isn't simply about dealing with the facts of a matter. More often, it's about dealing with the experience and feelings of the people involved and what it all means for them. People in conflict situations experience strong emotions – they may feel angry, hurt, shamed, demeaned or similar negative emotions. This should be expected and accepted. People in these situations need to feel safe, be listened to and, most importantly, have their feelings acknowledged.

As the contact person for the parties, your role is central to facilitating good communication and mitigating damage in the course of progress toward a resolution. You need to be responsive and sensitive to both the complainant and the respondent, and take individual needs into account. You must engage with the parties in a way that is helpful and meaningful to them. You may, for example, have to address personal safety issues, seek a counselling or support service to assist either party, or take some other action responding to a particular need.

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What help is available to me?

In the role of Grievance Facilitator, you will be required to consult with and seek further information and advice from a wide range of resources. Refer to the help page.

WHERE CAN I GET HELP?

Who you decide to contact for help in personally dealing with a conflict situation or grievance will depend on your particular needs. You may choose to seek professional help or turn to a colleague, mentor or friend.

The following list provides useful contacts to assist you.

(insert details of resources available to parishioners, Diocese employees, or other resources internal & external to the Diocese).

Grievance Notification Form

Confidential

This form is used to clarify your grievance and to provide initial documentation.

Personal contact details:

Name:

Contact Ph:

Location:

Grievance details

Which of the following best describes the nature of your grievance? (Please tick)

- Discrimination/harassment/bullying issue
- Deployment/promotion/selection issue (relating to both volunteer & employee)
- Safety issue – accident/incident
- Conflict/unfair treatment

Outline of the issue(s):

What steps have you already taken to resolve the issues(s)? (Include the names of people you have approached for advice and/or assistance) Attach an extra page if necessary.

What resolution are you seeking?

Signature

Date: / /

(Complainant)

Submit this form to the Parish Priest (or Archdeacon of the region if the grievance involves the Parish Priest) or other mutually respected person agreed upon.

Signature

Date: / /

(Facilitator)

Grievance Management Form

Grievance assessment

Nominated Grievance Facilitator: _____

Issues underlying the grievance:

Resolution

Resolution Options:

- Conference with the Parties – may be direct resolution or involve a mediator/facilitator/conciliator
- Formal Investigation – e.g. Grievance Facilitator
- External Agency

Action(s) taken: (Attach extra page if necessary)

Outcome

Outcome of action taken: (could include: to be heard, explanation given, apology, changed behaviour, Training, counselling, warnings, directives, system change).

Complaint settled: Yes No

Follow up required:
