

CARINGBAH BAPTIST CHURCH

GRIEVANCE RESOLUTION POLICY, PRINCIPLES AND PROCEDURE

SECTION 1 – POLICY STATEMENT

CBC is committed to ensuring an authentic and grace-filled church environment by ensuring that all members and attenders have access to processes that allow for grievances, disputes, problems and complaints to be resolved. Our Constitution, in Clause 6 states that members are expected to:

Resolve any conflicts that may arise in accordance with Scripture and the Church's Dispute Policy, which aims for peace, forgiveness and restoration

Under this policy CBC commits to adopt the biblical principles from Matthew 18:15-20, 1 Corinthians 6:1-8, Galatians 6:1-5 and Ephesians 4:2-3, Proverbs 19:11 to address grievances and to restore those involved. Consequently, these Scriptures are fundamental to the grievance or dispute resolution processes.

All appointed leaders have an obligation and responsibility to proactively promote a Christian community free of abuse, duress and harassment. All grievances will be dealt with in a supportive environment without victimisation or intimidation of anyone connected with the grievance either during or subsequent to a grievance resolution procedure.

CBC's approach to grievance resolution emphasises:

- fairness and impartiality
- conciliation
- the principles of natural justice and procedural fairness
- resolution of grievances as early as possible and as close as possible to the source
- the role of appointed leaders in seeking to prevent and resolve grievances.

This policy deals specifically with grievances related to church life that are directed against appointed leaders of CBC although the principles also apply to any grievance between members of the church.

Our procedure has three-step framework informed by Biblical principles. It may be accessed by anyone associated with CBC and covers disputes, grievances and problems affecting the church environment such as:

- grievances over how an appointed leader has spoken to or dealt with the complainant
- grievances between members of the church
- psychological abuse, abuse of power or coercive leadership practices
- harassment and discrimination, for example on racial or sexual grounds
- behaviour by an appointed leader that is inconsistent with the character of Jesus Christ.

SECTION 2 – POLICY PRINCIPLES

CBC's grievance resolution policy and procedures is based on the following principles:

1. Informal and early resolution of grievances whenever possible.
2. Conciliation of grievances by relevant appointed leaders to assist parties to reach agreement, where possible.
3. It is the primary responsibility of appointed leaders to take all reasonable steps to prevent and resolve grievances in their ministry areas.
4. The parties involved in the grievance must participate in the grievance resolution process in good faith.
5. CBC will not entertain complaints that the CBC Leadership deems to be vexatious or frivolous.
6. In a case where two or more appointed leaders bring complaints against each other, the CBC Leadership will determine whether to deal with the complaints together or separately.
7. The grievance resolution process will be conducted as expeditiously as possible.
8. The procedures will be applied fairly with integrity and flexibility.
9. All persons are to be treated with respect and impartiality and provided with support at all stages of the process.
10. The principles of natural justice and procedural fairness will be observed:
 - 10.1. the person who is the subject of concern must be informed of all the allegations in relation to his/her behaviour
 - 10.2. he/she must have a full opportunity to put his/her case
 - 10.3. all parties to the complaint must have the right to be heard
 - 10.4. all relevant submissions and evidence must be considered
 - 10.5. irrelevant matters must not be taken into account
 - 10.6. the decision-maker must be impartial, fair and just.
11. Confidentiality will be respected and maintained within the constraints of the need to fully investigate the matter and the need for proper accountability.

SECTION 3 – PROCEDURE

CBC's procedure for resolving grievances against appointed leaders of CBC follows the three-step framework described by Jesus in Matthew 18:15-17:

"If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over. But if he will not listen, take one or two others along, so that 'every matter may be established by the testimony of two or three witnesses.' If he refuses to listen to them, tell it to the church; and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector."

1. First Level - Early Conciliation

CBC's approach to grievance resolution focuses on seeking to resolve grievances at the earliest possible stage. The First Level of these procedures is therefore the most important if early resolution is to be achieved. No time limit is placed on the length of time passed since the grievance occurred. However, we strongly encourage people to seek reconciliation promptly once they become aware of the pain of a grievance against another person.

The first step is simply for a complainant to seek out the person with whom they have a grievance and open up a conversation. It is not required at this stage for anything to be put in writing. Early conciliation normally will not involve anyone external to the grievance but will be a private matter between the two parties concerned.

In certain cases where there exists a marked imbalance of power between the two parties, a third person may be invited to create a safe environment for the grievance to be discussed. This option should not be taken in order to gain an advantage over another person in settling a grievance.

The third person may assist with the process of conciliation by:

- 1.1. discussing the situation with the complainant and the other party/parties to the grievance either together or separately to help them gather their thoughts,
- 1.2. helping the parties to recognise and own their emotional responses to the grievance and to differentiate these from the facts of the situation, and
- 1.3. discussing with the parties options for resolution.

At the first level of early conciliation, a third person is not to become involved in adjudication or investigation of the grievance.

Even where a third person is involved their role is limited to facilitation. The emphasis remains on the two parties to the grievance having a truthful and gracious conversation and seeking reconciliation.

Under normal circumstances it is only when this level has been pursued fully without a satisfactory outcome for both parties that the matter may be escalated to the next level. The

CBC Leadership may, at their discretion, accept the opinion of a healthcare professional that the complainant is not fit to meet with the person against whom they are bringing a complaint, and allow the matter to proceed directly to the next level.

2. Second Level - Assisted Conciliation

If the complainant believes that the grievance has not been resolved, the grievance may proceed to the Second Level in accordance with the following procedure:

- 2.1. The complainant or representative will advise the CBC Leadership, in writing, that they have an unresolved grievance against an appointed CBC leader or church member. This advice should outline concise details of the grievance, including the parties to the grievance, and steps already taken to resolve the grievance.
- 2.2. The CBC Leadership shall give advice about an appropriate course of action to deal with the grievance. The course of action will normally include a conciliation meeting arranged by a nominee of the CBC Leadership (usually the Lead Pastor or an Elder) and held within two weeks (unless otherwise agreed) between the person against whom the grievance is alleged, the complainant and any other parties to the grievance. Should the grievance involve the Lead Pastor, any Elder may oversee the operation of this procedure.
- 2.3. The CBC Leadership may, at their discretion, appoint an independent person who is external to CBC to assist in the conciliation process.
- 2.4. The Lead Pastor, Elder or other nominee shall make a written response to all parties to the grievance within two weeks of the conciliation meeting listing recommendations for the resolution of the grievance.

Like the First Level, the Second Level focuses on informal discussion and conciliation. In seeking to resolve the grievance, the Lead Pastor or other nominee may:

- 2.5. discuss with the complainant and other party/parties the reasons why the grievance could not be resolved at the first level;
- 2.6. discuss the situation with the parties to the grievance (usually together);
- 2.7. discuss the emotional responses and facts related to the grievance;
- 2.8. discuss with the parties options for resolution.

3. Third Level - Arbitration

If the complainant believes that the grievance has not been resolved through assisted conciliation the grievance may proceed to the Third Level.

- 3.1. The complainant or representative shall advise the CBC Leadership in writing of the continuing unresolved grievance and request an independent investigation.
- 3.2. The Lead Pastor shall arrange an investigator who shall report back to leadership within one month.

- 3.3. All parties agree to respect the findings of the investigation report.
- 3.4 Where the grievance is against a member of the Pastoral Staff of CBC, a final procedure is available as described below.
- 3.7. Once this process has been completed, the matter will be considered by the CBC Leadership to be closed unless the matter proceeds to a complaint lodged with the Baptist Association of NSW and ACT and the CBC Leadership agrees to cooperate with that process.

SPECIAL NOTE: Grievances against Accredited Ministers of Baptist Churches

Where a grievance is against an Accredited or Recognised Minister of Baptist Churches in NSW and ACT, a further and separate grievance procedure is available through the Baptist Association of NSW and ACT. Details may be found in the document "*Procedures for handling allegations brought against Accredited (or Recognised) Ministers*" available at these web addresses:

https://nswactbaptists.org.au/wp-content/uploads/2023/12/Policy-for-Allegations-brought-against-Accredited-and-Recognised-Ministers-version-1-October-2020_FINAL.pdf

<https://nswactbaptists.org.au/wp-content/uploads/2023/11/BA-Procedures-for-Handling-Allegations-Final-2023.pdf>