

# Policies and Procedures

# Harassment, Anti

# Discrimination and

# Bullying

Last updated  
January 2025



## Document Control and Review

**Document Effective:** 2014

**Document Revision:** The policy will be kept up to date, particularly in the light of any changes to the church's buildings or activities. To ensure this policy and the way in which it is operated will be reviewed as required and the appropriate changes made. As a minimum it will be reviewed every five (5) years.

**By Whom:** The Session and Deacons of the Church, along with men and women appointed to it by the Session from time to time as the Session believes necessary will review this document.

**Review Process:** Church decision makers will inform the ministries involved when the date of review will occur, and any changes recommended by the ministries should be submitted in writing to the decision makers for consideration one month before the review date. Any proposed changes will be submitted to the Session meeting for approval before being implemented.

| Review Date  | Persons Involved                         | Items Changed          | Date Adopted by Session | Next Review Required |
|--------------|------------------------------------------|------------------------|-------------------------|----------------------|
| August 2017  |                                          |                        | 7 August 2017           | 7 August 2022        |
| January 2025 | Darren Burnett, Des Morris, Cameron Blue | Minor spelling changes | 21 January 2025         | 21 January 2030      |
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**Name of Church:** Grace Christian Church Buderim

**Which is owned and operated by:** Westminster Presbyterian Church – Buderim Incorporated.

**Address:** 2-4 Toral Drive, Buderim Qld 4556

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# 1. Introduction

## 1.1 Policy Statement

The Grace Christian Church recognises and is committed to its moral (under God) and legal (under law) responsibilities to provide a safe and healthy environment for all employees, voluntary workers, visitors and contractors. Equally, all church users are expected to understand that they have a responsibility to themselves and others to ensure the same safe and healthy environment.

The Grace Christian Church recognises and is committed to all workers with a safe environment that is free from inappropriate behaviour and will take all reasonable steps to minimise any form of harassment or bullying. This commitment is based on our Church's belief in the importance of individuals in God's eyes and their right to be respected and kept safe from any harm. Equally, all church users are expected to understand that they have a responsibility to themselves and others to ensure the same safe environment.

## 1.2 Scope

The Policy & Procedures apply to:

- All employees, voluntary workers, visitors and contractors.
- All ministries authorised by or under the control of the church, including those ministries undertaken at the church's premises or away from the church's premises.
- All leaders within the church or engaged by the church.

## 1.3 Aim of Policy

This policy aims to:

- Minimise the risk, as far as reasonably practicable, of harassment and bullying of employees, voluntary workers, members of the congregation, visitors and contractors.
- Ensure that all incidents are recorded and reported as required.
- Ensure that all people are respected and valued.

## 1.4 Authority and Responsibilities

These are the Policies & Procedures of Grace Christian Church and were adopted for use by the Session of Grace Christian Church Buderim. The Session of Grace Christian Church Buderim are committed to implementing the Policy & Procedures and training its leaders in its content and application.

### 1.4.1 Responsibility of the Session and the Pastor

Session are to ensure that they do not harass, bully or discriminate workers and ensure all workers are made aware of this policy.

If the Session observes discrimination, harassment, or bullying, they will take appropriate steps to stop the behaviour and warn the offending person of the consequences of their actions and their obligations as a worker of the Church.

The Pastor and Session have the authority and obligation to resolve grievances and/or complaints. They are required to:

- Know the complaint process and try to resolve complaints locally
- Treat grievances/complaints seriously and confidentially and deal with them promptly
- Prevent the behaviour complained of from continuing or being repeated
- Ensure that complainants are not victimised
- Encourage employees to report inappropriate behaviour as early as possible.

If an employee approaches them with a grievance/complaint they will take appropriate action as described in this policy.

### 1.4.3 Responsibility of Workers

All workers have a responsibility to cooperate in the implementation of this policy and to take reasonable care of themselves and others whilst on church business or the premises. Workers must:

1. Comply with this policy
2. Not commit or encourage harassment, discrimination or bullying
3. Report any incident of harassment, discrimination or bullying

Workers are to use this policy to solve any grievance/complaint as early as possible after an incident/issue. All grievances should have sufficient grounds and not be of a vexatious, frivolous or malicious nature. Workers can be held legally responsible for any acts that are unlawful.

All workers should be aware that they could be held personally liable for harassing or bullying another person or aiding, abetting, encouraging or condoning other persons to harass or bully.

## 1.5 Definitions

| Word            | Meaning                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Church          | The Grace Christian Church Buderim, located at 2-4 Toral Drive Buderim Q 4556                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Session         | Committee of Management as described in the Constitution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Aggression      | Are feelings of anger or antipathy resulting in hostile or violent behaviour; readiness to attack or confront. It includes: verbal abuse; physical violence against an individual in the form of hitting, slapping, spitting, scratching, pinching, kicking; threats of violence; and physical violence against objects, such as kicking or throwing property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Appeals Handler | Person in charge of the appeals process in relation to an investigated grievance or complaint                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Breach          | A breach is any action or inaction by any member of the organisation, including children and young people, that fails to comply with any part of the strategy which includes Grace Christian Church Buderim                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Bullying        | <p>Is to seek to harm, intimidate, or coerce. It is behaviour that is directed towards personnel or a group of personnel, that is repeated and systematic, and that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten personnel to whom the behaviour is directed, creating a risk to health or safety.</p> <p>The following are examples (but not limited to):</p> <ul style="list-style-type: none"> <li>● Yelling, screaming, abuse, offensive language, insults, inappropriate comments about a person's appearance, life or lifestyle, slandering a worker or his/her family</li> <li>● Belittling opinions and constant criticism</li> <li>● Isolating workers from normal work interaction, training and development or career opportunities</li> <li>● Deliberately ignoring employees or co-workers</li> <li>● Overwork, unnecessary pressure, impossible deadlines</li> <li>● Under-work, creating a feeling of uselessness</li> <li>● Undermining work performance, deliberately withholding work-related information or resources, or supplying incorrect information</li> <li>● Unexplained job changes, meaningless tasks, tasks beyond a person's skills, failure to give credit where due</li> </ul> |

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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|                       | <ul style="list-style-type: none"> <li>● Tampering with a workers personal effects or work equipment</li> <li>● Teasing or regularly being made the brunt of pranks/practical jokes</li> <li>● Playing mind games, ganging up, or other types of psychological harassment</li> <li>● Intimidation (making one feel less important and undervalued)</li> <li>● Pushing, shoving, tripping, grabbing in the workplace</li> <li>● Attacking or threatening with equipment, knives, guns, clubs or any other type of object that can be turned into a weapon</li> <li>● Initiation or hazing - where one is made to do humiliating or inappropriate things in order to be accepted as part of the team.</li> </ul>                                                                                                                                                                                                                                                                                       |
| Complainant           | Person raising a grievance or complaint                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Contractor            | A person or firm that undertakes a contract at the Church to provide materials or labour to perform a service or do a job                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Criminal Assault      | An attack by physical force on a person for which the attacker is liable to criminal prosecution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Discrimination        | <p>Is essentially any practice that makes personal characteristic distinctions between individuals or groups so as to disadvantage some or advantage others (either direct or indirect).</p> <p>Examples include (but are not limited to):</p> <ul style="list-style-type: none"> <li>● Offensive 'joke' or comments about another worker's racial or ethnic background, sex, sexual preference, age, disability or physical appearance</li> <li>● The display of pictures, computer graphics or posters which are offensive or derogatory</li> <li>● Expressing negative stereotypes of particular groups, for example: married women shouldn't be working</li> <li>● Judging someone on their political or religious beliefs rather than their work performance</li> <li>● Using stereotypes or assumptions to guide decision making about a person's career</li> <li>● Undermining a person's authority or work performance because you dislike one of their personal characteristics.</li> </ul> |
| Direct Discrimination | Direct discrimination is when it is quite clear that someone is treated differently. It can occur if people have a stereotyped view about what all or most people of a particular group are like, or what they think all or most people of a particular group can or cannot do.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Grievance Handler       | Person in charge of investigating a grievance or complaint                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Harassment              | <p>Is aggressive pressure or intimidation. It is any verbal, written or physical behaviour or conduct that is of an offensive, threatening, intimidating, abusive or belittling nature and that is unwelcome, unreciprocated, uninvited and usually, but not always, repeated.</p> <p>It can also be based on race, disability, age, pregnancy, marital status, homosexuality, transgender, or HIV/AIDS status.</p> <p>The following are examples:</p> <ul style="list-style-type: none"> <li>• Unwelcome practical jokes</li> <li>• The use of unsuitable language</li> <li>• Spreading gossip or rumours</li> <li>• Reciting of sexist jokes.</li> </ul> |
| Indirect Discrimination | Indirect discrimination involves instances where certain groups are unreasonably excluded or otherwise disadvantaged by apparently neutral policies, practices, procedures or decisions that are unfair or unequal in their effect.                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Incident                | An event or occurrence                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Leader                  | <p>Any person (paid or unpaid) over the age of 18 who is responsible for the control and safety of members placed in their care whilst holding a formal position in a recognised ministry of the church. A leader could include but is not limited to:</p> <ul style="list-style-type: none"> <li>• Religious practitioner</li> <li>• Small group leaders</li> <li>• Ministry leaders</li> <li>• Counsellors</li> <li>• Youth leaders</li> <li>• Sunday school coordinators</li> <li>• Sunday school teachers</li> <li>• Playgroup coordinator</li> <li>• Playgroup leader</li> <li>• Scripture teachers</li> </ul>                                        |
| Members                 | Any person, including children, who attends or participates in church ministries.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Ministry                | Any organised activity that is authorised by the church.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ministry Assistant      | A person recognised and authorised by the church to assist the leader in individual sessions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

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| Ministry Coordinator  | The person recognised and authorised by the church as head of a ministry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Ministry Coordinator  | The person recognised and authorised by the church as head of a ministry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Ministry Helpers      | Any unpaid person over the age of 16 who is invited by a leader to assist them in their ministry.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Ministry Leader       | A person recognised and authorised by the church to lead individual sessions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Occupational Violence | An incident in which an employee, student or contractor is abused, threatened or assaulted in the Church. This includes incidents of clinical aggression and family/visitor aggression and violence. It may include: verbal, physical or psychological abuse.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Repeated              | Refers to the persistent nature of the behaviour, not the specific form of the behaviour. For example, the harassment or bullying may involve a variety of unreasonable and inappropriate behaviours such as verbal abuse, persistent and unwarranted criticism and open or implied threats of being demoted or terminated.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Respondent            | Person being accused of a grievance or complaint                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Risk                  | Risk is the possibility or chance of loss, danger, physical or emotional health                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Sexual harassment     | <p>Is an unwelcome or unsolicited conduct that has a sexual element.</p> <p>Examples of sexual harassments include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• Unwanted and/or repeated sexual advance</li> <li>• Unwanted and/or continued requests for dates or outings</li> <li>• Comments about a person's sexual life or physical appearance</li> <li>• Engaging in suggestive behaviour</li> <li>• Unwanted physical intimacy such as brushing up against a person</li> <li>• Telling sexual jokes which cause offence</li> <li>• Leering or staring at a person and/or parts of their body</li> <li>• Making telephone calls which cause offence</li> <li>• Showing and/or displaying offensive and sexually explicit materials such as screen savers, posters or calendars</li> <li>• Photographs, reading matter or objects which cause offence</li> <li>• Unwanted confidences about a person's sex life or lack thereof</li> <li>• Undertaking unwanted physical contact such as touching or fondling</li> </ul> |

|                     |                                                                                                                                                                                 |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                     | <ul style="list-style-type: none"> <li>• Sexual assault (criminal offence)</li> <li>• Obscene phone calls (criminal offence)</li> <li>• Flashing (criminal offence).</li> </ul> |
| Support Person      | Person to provide moral and/or emotional support during grievance/complaint process. They do not form part of any discussion in relation to the grievance/complaint.            |
| Systematic          | Done or acting according to a fixed plan or system; methodical                                                                                                                  |
| Vicarious Liability | An employer of an employee who injures someone through negligence while in the scope of employment                                                                              |
| Visitor             | A person visiting the Church                                                                                                                                                    |
| Worker              | Includes paid worker, coordinator, leader, helper, assistant or volunteer                                                                                                       |
| Work Coordinator    | A person who is responsible for organising a particular activity at the Church                                                                                                  |

## 1.6 External policies

We acknowledge that some ministries in the church might have external affiliation with other organisations. These organisations will possibly have policies governing these issues. The church's policy & procedures are not intended to replace or conflict with other policies, but instead to operate in conjunction with them.

## 2. Statement of Commitment

Grace Christian Church is committed to ensuring all people within its programs, ministries and events are not subject to any unwanted harassment or bullying.

All people, regardless of age, gender, race, culture, disability and family/social background have equal rights to this protection.

All people (including children) have the right to be respected and valued as well as feel emotionally, physically and spiritually safe at all times. This policy has been developed to uphold this commitment to safeguarding and to adhere to local and national legislation.

We commit to:

1. Put measures in place, as far as practical, to prevent harassment and bullying in all Church activities
2. Provide and make accessible, resources for all personnel relating to harassment or bullying, including complaint resolution processes
3. Promote awareness of this policy at all levels across the Church to achieve the commitment and compliance to the Harassment and Bullying Policy
4. Model appropriate behaviour and monitor the working environment to ensure that the appropriate standards of behaviour and conduct are observed at all times
5. Treat all complaints of harassment and bullying seriously and take immediate action to investigate and resolve any complaint quickly and fairly and with complete confidentiality
6. Ensure that personnel who make or support a complaint of harassment or bullying are not subsequently subjected to victimisation
7. Take all reasonable steps to ensure there is no recurrence of an offence/incident
8. Comply with relevant legislation and providing adequate resources to achieve compliance
9. Establish, implement and maintain a health and safety management system that integrates all Church activities
10. The safe recruitment of leaders and providing adequate training
11. Maintain, monitor and improve policies and procedures
12. Undertake periodical reviews and audit practices, policies and procedures.



### 3. Legislative Requirements

The church will follow all required legislation including but not limited to:

- Work Health and Safety Act 2011 (QLD)
- Work Health and Safety Regulations 2011 (QLD)
- Work Health and Safety Consultation, Cooperation & Coordination Code of Practice 2011
- Anti-Discrimination Act 1991

#### 3.1 Rectification of Legislative Breaches Policy

The Session will promptly rectify or ask a representative to promptly rectify any breach or potential breach of legislation that is brought to the attention or consideration of Session by statutory or regulatory authorities and other stakeholders, including members of the Church and workers.

The Session will investigate and assess the cause of the breach or potential breach of applicable legislation by the Church.

The Session will take all necessary actions to ensure that a breach or potential breach of legislation is properly addressed and statutory or regulatory authorities are satisfied by the resulting action of the Session.

If a breach has occurred the Session will implement control measures to eliminate where possible or minimise, the chances of the breach or potential breach of legislation from reoccurring.

## 4. Rights of Persons

### 4.1 Persons making claim to harassment, discrimination or bullying

The Church recognises the right of any person to express a grievance and/or complaint and to seek a solution concerning complaints and disagreements. All grievances should have sufficient grounds and not be of a vexatious, frivolous or malicious nature. Session will ensure that complainants are not victimised.

### 4.2 Persons accused of harassment, discrimination bullying

The Church recognises the rights of the person accused of harassment, discrimination or bullying to be treated with natural justice. This includes the right to know full details of allegations against them, a right of reply to those allegations, a presumption of innocence until evidence against them shows otherwise and the benefit of any reasonable doubt.

### 4.3 Persons found guilty of harassment or bullying

Any personnel found guilty of perpetrating or permitting harassment, discrimination or bullying will be disciplined, and may, in serious cases, be dismissed.

### 4.4 Persons found guilty of unfounded harassment or bullying accusations

Any person found guilty of making malicious, vexatious or frivolous allegations of harassment, discrimination or bullying that are held to be unfounded, will be disciplined and in certain circumstances may also be dismissed.

## 5. Grievances, Complaints & Issue Resolution

Allegations and incidents of harassment, discrimination and bullying can often be most effectively resolved if they are dealt with at an early stage, rather than left until the matter has become serious and attitudes entrenched. Therefore, the Church encourages all personnel to report all allegations of harassment, discrimination or bullying as soon as they occur.

The Church advises that incidents of occupational violence may, in fact, constitute criminal assault, and therefore the Church will report any instances of occupational violence to the appropriate authorities as required.

### 5.3 What do you do if you have a Grievance or Complaint?

If any personnel feel that they have been harassed, discriminated against or bullied, they may make a complaint to the Pastor. If the complaint involves the Pastor, they should take the complaint directly to a member of Session.

If persons are not satisfied with the way their complaint has been handled by the Pastor, they have the right to refer the matter to Session.

The Church recognises the right of any persons to express a grievance and/or complaint and to seek a solution concerning complaints and disagreements. There are a number of options available to any person whom need to deal with a grievance/complaint in the Church. The person should choose the course of action that they feel most comfortable with that are set out in this policy. These include:

### 5.3.1 Informal Resolution Process

Using the informal resolution process the complainant either directly or through a Grievance Handler, may approach the individual who is the subject of the complaint or request that the offending behaviour stop. In addition, a person who observes unacceptable conduct occurring may take independent action even though no complaint has been made.

If the complainant consents, a mediation meeting may be organised where an Grievance Handler will assist to resolve the issue(s). The basic principles behind the informal resolution process are that:

- Participation is voluntary
- Both parties are required to be committed to resolving the issue
- The focus is placed on the behaviour that is of concern rather than on the individual or parties responsible for the behaviour
- A non-blaming approach is used which attempts to change the behaviour rather than disciplining the individual or parties responsible
- Individuals are responsible for their own behaviour and discussing how the situation may be resolved.

Where an issue is resolved informally, no written records will be kept on file and no disciplinary action will be taken against the alleged harasser/discriminator/bully.

If personnel are not satisfied with the outcome of the informal resolution process workers may wish to proceed with the formal resolution process or seek a remedy through an external party.

### 5.3.2 Formal Internal Resolution Process

If informal attempts have been unsuccessful, or if the behaviour is too serious to be dealt with using the informal resolution process, a formal investigation may take place. Following are the steps involved:

#### **Step 1**

Complainant to lodge a formal complaint to the Pastor/Session.

#### **Step 2**

On receipt of a written formal complaint and if the matter is deemed to warrant further action, the Pastor/Session will appoint a Grievance Handler to conduct an impartial and confidential investigation of the complaint to establish the facts.



### Step 3

The Grievance Handler will:

- Get the full information on the grievance/complaint from the person raising the concern (complainant) and a suggestion on a possible resolution of the issue
- Explain the grievance/complaint procedure including what will be done to protect the person raising the concern from victimisation
- Refer the complainant to avenues of advice or support
- Decide if they are the appropriate person to continue handling the grievance

### Step 4

The Grievance Handler will get the other side of the story and will interview the perceived perpetrator/s (respondent/s) to get their side of the story.

If the two sides of the story contradict one another, the Grievance Handler may reinterview the complainant and/or the respondent/s for further information. The Grievance Handler may also ask one or both parties for the names of witnesses who can provide further information.

It is not a breach of confidentiality for the Grievance Handler to speak to witnesses. The Grievance Handler will not speak to any more witnesses than is required and will not tell the witnesses any more information than is required. Neither the complainant nor the respondent/s are to contact the witness or witnesses. This is only to be done by the Grievance Handler.

### Step 5

The Grievance Handler will collate the information and determine the next appropriate actions (if any). They will inform the involved parties of the actions to be taken and the reasons for such action or lack of action being taken.

#### 5.6.3 Facts not in dispute

Where the grievance/complaint involves an allegation of a serious nature and the main facts are not in dispute, the respondent will be subject to disciplinary action by the Church.

Where the grievance/complaint involves an allegation of a less serious nature and the main facts are not in dispute, the Grievance Handler may offer to mediate. Mediation means the Grievance Handler may assist all involved parties to come to a joint agreement about how the grievance/complaint should be resolved. If the complainant does not want mediation, the Grievance Handler will discuss other processes, for example: a letter of apology or counselling, etc.

The Grievance Handler will keep a confidential record of the agreement reached and the matter will go no further, unless one party complains that the agreement has been breached.

#### 5.3.4 Facts in dispute

Where the grievance/complaint involves an allegation of a serious or less serious nature and the main facts are in dispute, the Grievance Handler will:

- Inform all involved parties about the consequences if the allegation is proven one way or the other
- Warn all involved parties about the consequences of either party victimising the other for making a complaint
- Inform all involved parties of the right to appeal.

If the Grievance Handler cannot work out whether the allegation did or did not happen because of lack of evidence, they may refer the matter to Session or an external party for further investigation to make a final determination.

All parties involved will be notified in writing as soon as practicable if the grievance/complaint is referred to Session or an external party. The Grievance Handler will keep a confidential record of the action taken.

Should personnel accused of the harassment, discrimination or bullying be found guilty, they may be subject to Church disciplinary action.

### 5.3.5 Unsubstantiated complaints

If a grievance/complaint has been investigated to its full extent and cannot be substantiated, no further action will be taken. The complainant may then exercise the option of referring their grievance to an external body.

### 5.3.6 External informal grievance/complaints process

An external informal option means that the person wants the grievance/complaint handled by a third party. This may include referral to another agency, for example a dispute resolution service, where an informal process such as mediation is used to resolve a grievance/complaint.

### 5.3.7 External formal grievance/complaints process

An external formal option includes a complaint lodged with the Anti-Discrimination Commission. If the grievance/complaint falls within the requirements of the Act, it will be dealt with by a complaint handler from the Commission. Information can be found on [www.adcq.qld.gov.au](http://www.adcq.qld.gov.au).

## 6. Support Throughout the Grievance and Complaints Process

The complainant and respondent may have a support person of their choice present during all discussions in relation to a grievance/complaint. The support person must keep all aspects of their participation in the investigation of a grievance/complaint confidential.

The support person may not form part of any discussion in relation to the grievance/complaint. They are only to provide moral and/or emotional support for the person involved.

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## 7. Appeals in Relation to Grievances and Complaints

A complainant or respondent has the right to appeal if they believe the grievance/complaint procedure was not followed correctly, or if they do not believe the outcome of the grievance/complaint was fair.

Appeals should be made to the person higher up in the hierarchy than the original Grievance Handler, for example: If the original Grievance Handler was the Pastor, the appeal should be made to another member of Session.

The person who handles the appeal (Appeals Handler) will generally “rehear” the grievance/complaint, by going through similar steps as the original Grievance Handler. Additional witnesses may be sort and interviewed to verify details of the grievance/complaint.

The Appeals Handler will confirm in writing as soon as practicable, their decision if they will uphold the original decision or overturn the original decision and amend the course of action.

## 8. Conflicts of Interest and Grievance/Appeals Handlers

If the Grievance/Appeals Handler has a demonstrated conflict of interest or the potential for a perceived conflict of interest, the grievance handler will:

- Not proceed any further with the grievance/complaint process
- Inform the complainant of the conflict of interest and how the matter will proceed
- Refer the matter immediately to an alternative grievance handler.

A complainant or respondent may at any time request an alternate grievance handler if there has been a demonstrated conflict of interest or they believe there is a perceived potential for a conflict of interest.

## 9. No Victimisation or Detrimental Action

A complainant, witness, individual providing information, or a support person will not be disadvantaged in their role with the Church for making a grievance/complaint or being involved in an investigation. Examples of victimisation or detrimental action include ostracising, demoting or dismissing a person.

The Church will not accept any form of victimisation towards a complainant, witness, individual providing information, where the grievance/complaint has been made in good faith.

Victimisation and detrimental action may be regarded as serious misconduct and will be treated as such. It may also have external legal implications for the person committing the victimisation / detrimental action.

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## 10. Vexatious, Frivolous and/or Malicious Grievances and Complaints

A vexatious, frivolous or malicious complaint is a complaint which is instituted without sufficient grounds and serves only to cause annoyance, delay or detriment, to harass, psychologically injure, or any other wrongful purpose.

Making a vexatious, frivolous or malicious complaint is regarded as a serious misconduct and will be treated as such. It may also have external legal implications for the person making the vexatious, frivolous or malicious complaint.

## 11. Confidentiality in regard to Grievances & Complaints

The complainant, respondent, witness/s, any support person and any other interviewee must keep all aspects of their participation in the investigation of a grievance/complaint confidential. The Church may disclose information to obtain legal or any other assistance or advice which may be relevant for the purposes of conducting and determining the investigation.

## 12. Record keeping in relation to Grievances & Complaints

The Church will keep detailed records of complaints, processes and resolutions. Detailed notes will include:

- Interviews with all involved parties including witnesses to a grievance/complaint
- The action that was taken to resolve the grievance/complaint
- Detail any future requirements in relation to the grievance/complaint.

Notes will be kept in a secure location whilst the grievance/complaint is under review.

Once the matter has been finalised, records are kept on personnel files. Records pertaining to serious grievances and those alleging unlawful behaviour will be kept in accordance with relevant legislation, agreements and policies.

## 13. Vicarious Liability

Under state anti-discrimination law, the Church can be liable for discrimination, sexual harassment and/or vilification which occurs in the workplace, unless it can be shown that the Church has taken reasonable steps to prevent it.

Session will ensure all workers, visitors and contractors are treated equally and are not subject to discrimination, sexual harassment or bullying. They will also ensure that people, who make complaints, or witnesses, are not victimised in any way.



Any reports of discrimination and harassment will be treated seriously and investigated promptly, confidentially and impartially.

When dealing with complaints, Session will at all times seek the person making the complaint permission to act, and ask the worker what remedies they are seeking to make them feel safe.

Disciplinary action will be taken against anyone who discriminates, harasses or bullies. Discipline may involve a warning, suspension, counselling, expulsion or dismissal, depending on the circumstances. All workers should note the Church may view harassment, bullying or discrimination as misconduct, and therefore workers may be instantly dismissed as a result of proven instances of discrimination, harassment or bullying.