



**Anglican Diocese of  
Canberra and Goulburn**

**Protocol for Responding to Allegations  
of Bullying Behaviours by Church Workers  
SM009**

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## 1. Preamble

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- 1.1 In addressing Christian freedom, the writer of Galatians calls Christians to “serve one another humbly and in love” (NIV Gal 5:13). As members of the Diocese of Canberra and Goulburn this is the standard we aim to uphold. In keeping with this, there is no place for bullying behaviours by church workers in our ministries.

This protocol has been written with these core principles as a foundation for identification and response.

## 2. Purpose

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- 2.1 The purpose of this protocol to provide a process for appropriately managing allegations of bullying behaviours in relation to church workers, which might arise from time to time. A church worker herein has the same definition is found in Schedule A1 of the Professional Standards Ordinance.

## 3. Scope

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- 3.1 The protocol outlines the process to be followed when an allegation of bullying behaviour has arisen in relation to a church worker (ordained, and lay, paid and voluntary, licensed and unlicensed) who is associated with the ministry of the Anglican Diocese of Canberra and Goulburn.
- 3.2 This protocol does not cover those Agencies of the Diocese which have been given exemptions from the Professional Standards Ordinance processes.
- 3.3 The protocol does not apply when the matter is assessed to be either a Grievance or a Complaint, as defined by the Professional Standards Ordinance, in such matters either the Protocol for Addressing Grievances or the Professional Standards Ordinance process is to be followed.
- 3.4 This protocol takes into account the constitutional and legal status of clergy licences. The management of formal complaints of bullying against a licenced clergy may need to follow a different formal process, that is, if the initial assessment classifies the matter as a Professional Standards complaint.

## 4. Commitment

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- 4.1 The Anglican Diocese of Canberra and Goulburn is committed to:
- Creating a safe environment which is free from harassment and bullying
  - Providing appropriate channels for receiving complaints
  - Providing a process which upholds the principle of procedural fairness
  - Reporting criminal matters to the police and other relevant authorities
  - The principle that all people involved in Anglican Diocese of Canberra and Goulburn’s ministries have a right to feel safe in their interactions with church workers

## 5. Definitions

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### 5.1 Bullying for the purposes of this protocol:

#### 5.1.1. Bullying means:

- repeated, unreasonable behaviour directed towards an individual or a group that creates a risk to health and safety and is unlawful.
- unreasonable behaviour means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.
- direct (face to face) or indirect (covert) actions.

#### 5.1.2 Direct bullying occurs between the people involved.

Examples of direct forms of bullying include:

- verbal abuse
- demeaning or disparaging behaviours
- spreading rumours or innuendo about someone
- interfering with someone's personal property or work equipment.

#### 5.1.3 Indirect or covert bullying actions do not directly involve the people involved or are done in 'covert' manner. Examples of indirect bullying include:

- unjustified criticism or complaints
- deliberately excluding someone from workplace activities
- deliberately denying access to information or other resources
- withholding information that is vital for effective work performance
- setting tasks that are unreasonably above or below a worker's ability
- deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers
- setting timelines that are very difficult to achieve
- excessive scrutiny at work.

#### 5.1.4 Bullying can be carried out verbally, physically or in writing, eg via email, internet chat rooms, instant messaging and mobile phone technologies such as text messaging. Bullying can be directed in a range of ways in a workplace:

- sideways (between workers or co-workers)
- downwards (from supervisors or managers to workers),
- upwards (from workers to supervisors or managers).
- at a single worker or at more than one worker. It can be carried out by one or more workers

## 5.2 What Bullying Is Not

5.2.1 Reasonable management actions carried out in a fair way are not bullying. For example, the following carried out in a reasonable manner would not be bullying:

- setting performance goals, standards and deadlines
- allocating task to a church worker
- rostering and allocating working hours for paid church workers
- deciding not to select a church worker for promotion
- informing a church worker about unsatisfactory work performance
- informing a church worker about inappropriate behaviour
- implementing organisational changes
- performance management processes
- constructive feedback
- downsizing
- transferring a worker to another role

# 6. Complaint Handling

## 6.1 Procedure

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- 6.1.1 All individuals covered by this policy who believe that they have been subject to or observed bullying behaviours by a church worker should follow the procedure set out below.
- 6.1.2 In matters relating to allegations against Licenced Clergy, if after the initial assessment there is substance in relation to a formal complaint of bullying by the licenced clergy person, the matter will be referred to the Director of Professional Standards.

## 6.2 Amicable resolution

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- 6.2.1 In the first instance, the aggrieved person should, wherever practicable and if they feel comfortable doing so, attempt to amicably resolve the matter with the church worker/s who are involved.

When confronting the issue, the individual should clearly state the offensive behaviour experienced, explain that the behaviour is unwelcome and offensive and ask that the behaviour does not continue. The person against whom the allegation is made may not be aware that their behaviour or conduct was causing offence or was unwelcome.

- 6.2.2 This is not a compulsory part of the complaint procedure, and if an aggrieved person does not wish to confront the person directly, then this is not required.

- 6.2.3 Where the alleged bullying behaviour involves the complaint's direct manager and it is not practical for them to directly resolve the matter, they shall notify the Safe Ministry Helpline (1800 070 511) and report the matter.

## 6.3 Reporting

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- 6.3.1 Allegations of instances of bullying behaviours by church workers, which have not been resolved amicably, or where it is not appropriate to do so, shall be reported to the Safe Ministry Helpline (1800 070 511).

The Helpline will receive the complaint, assist the caller with pastoral and procedural information and refer the matter to one of the following relevant Diocesan Officers, the Professional Standards Director, Human Resources Director or Safe Ministry Unit.

- 6.3.2 If the report is received by any other church worker, the Rector (Priest in Charge or similar), an Archdeacon, or the Bishop, they will refer this to the Safe Ministry Helpline as soon as practicable.
- 6.3.3 The relevant Diocesan officer will then contact the complainant to assist them in the selection of the most appropriate pathway, as set out below, given all the circumstances.

## 6.4 Informal Complaint Procedure

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- 6.4.1 An Informal Complaint Procedure includes a range of options which can be applied in a flexible manner to address different complaints in consideration of the relevant circumstances.

The informal complaint procedure is intended to be used for less serious allegations of bullying which generally do not warrant disciplinary action being taken.

A person who considers they have been bullied and who is unsure of whether or not to make a formal or informal complaint, can always make an informal complaint first and decide if they want to escalate the complaint to a formal complaint after speaking with the relevant Diocesan Officer.

- 6.4.2 Different options for handling informal complaints may include, but are not limited to:
- 6.4.2.1 the relevant Diocesan Officer having a conversation with the church worker/s subject of the complaint; and
  - 6.4.2.2 the relevant Diocesan Officer having a meeting with all parties concerned in an attempt to reach a resolution.

## 6.5 Formal complaint procedure

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- 6.5.1 Where a person wishes to lodge a formal complaint, they will be assisted to submit their complaint in writing, by the relevant Diocesan Officer.
- 6.5.2 The written complaint shall include the name/s of the church workers/s against whom the allegation/s are made, details of the incident(s) and the names of any witness's present.
- Please see below for the Diocese's stance on maintaining confidentiality in the course of handling complaints.
- 6.5.3 A complainant can seek confidential advice from the Safe Ministry Helpline and/or the relevant Diocesan Officers verbally, prior to lodging a formal complaint.

## 6.6 Formal Investigation

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- 6.6.1 Where a written complaint has been lodged, the matter will be investigated.
- The investigation may be undertaken by a Diocesan Officer or another suitably qualified investigator.
- 6.6.2 In relation to licenced clergy, if the initial assessment or subsequent enquired leads to the view that if the complaint was to be upheld the licenced clergy would be subject to a Professional Standards complaint, the matter will be referred to the Professional Standards Committee.
- 6.6.3 The investigator will follow the procedure set out below:
- 6.6.3.1 Clarify details of what took place and ensure that all necessary information is obtained;
  - 6.6.3.2 Identify the outcome the complainant is seeking;
  - 6.6.3.3 Discuss the complaint with the person against whom the allegation is made;
  - 6.6.3.4 Make a determination as to whether the alleged behaviour occurred and also whether or not it constituted bullying.
- 6.6.4 The investigator will aim to achieve a timely resolution and communicate with all parties involved throughout the investigation.
- 6.6.5 If in the interests of health and safety of workers concerned, and/or the efficiency of the investigation process, church worker/s against whom allegations are made, may be requested to step aside from their role/s or work (if paid with full entitlements) whilst the investigation is underway.
- 6.6.5.1 Alternatively, the church worker/s may be given different duties or work to perform while the investigation is being conducted. Church workers who are requested to do either of these will be paid at their normal rate of pay during this period.

- 6.6.5.2 Where it becomes apparent that the complaint made relates to conduct which constitutes misconduct or otherwise warrants disciplinary action, the relevant Diocesan Officer will make a recommendation to the appropriate Bishop.

## 6.7 Confidentiality

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- 6.7.1 Whilst the appointed Diocesan Officer will endeavour to preserve the confidentiality of the complainant and the church worker/s subject to the allegations, it may be necessary to speak with other workers or people involved to determine what happened and to maintain the integrity of the investigation process.
- 6.7.2 Where potentially unlawful conduct has occurred, the Diocese will need to alert the appropriate authorities.
- 6.7.3 Those people who are involved in the complaint (including the complainant, witnesses etc.) are also under a duty to maintain confidentiality and display a commitment to uphold the integrity of the investigation process. If the complainant chooses to bring a support person with them to any meetings, they too are bound by confidentiality. Gossiping and/or the spreading of rumours as a result of, or in connection with, a process followed under this policy will not be tolerated under any circumstances and may lead to further disciplinary action for those concerned.

## 6.8 Outcomes

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- 6.8.1 The outcomes of a formal or informal complaint procedure, will depend on the nature of the complaint, its severity and that which is deemed appropriate in the relevant circumstances.
- 6.8.2 Where an investigation determines, on the balance of probabilities, that an allegation of bullying by a church worker is sustained, appropriate sanctions will apply.
- 6.8.3 In addition to other disciplinary actions, further actions to resolve the matter may include the following:
- 6.8.3.a. Providing training to the church worker/s against whom the allegation is made;
  - 6.8.3.b. Requiring church workers who have breached this policy to apologise to appropriate person(s);
  - 6.8.3.c. Adjusting working arrangements where appropriate;
  - 6.8.3.d. Providing counselling to the complainant and the church worker subject of the complaint of);
  - 6.8.3.e. Placing workers on performance improvement plans to ensure improved behaviour;
  - 6.8.3.f. Providing coaching and mentoring; and/or
  - 6.8.3.g. Removal from role/s or position/s.



- 6.8.4 In situations where allegations of bullying is not sustained, other actions may need to be taken to ensure an effective working relations.

In such situations the relevant Diocesan Officer may assist with instigating mediated sessions (both formal and informal) or reconciliation meetings.

## 6.9 Appeals procedure (internal)

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- 6.9.1 If any parties involved are unhappy with the outcome, or the way the complaint handling procedure was managed by the Diocesan Officer (or appointee) who managed the case, they may appeal to the Bishop.

- 6.9.2 Once notified, the Bishop will arrange a review of the procedure followed and the outcome and make a final determination.

Once this determination is made, the person who has made the appeal, the church worker or any other party will be notified of the outcome of the appeal and this determination will be final.

It is important to note that the Bishop, may delegate the review to another suitably qualified person.

- 6.9.3 The following bodies can provide more information regarding dispute resolution if required, and where appropriate:

Fair Work Ombudsman            13 13 94

ACT Australian Human Rights Commission  
(02) 6205 2222  
human.rights@act.gov.au

WorkSafe ACT  
13 22 81  
worksafe@act.gov.au