

West Preston Baptist Church

Policy & Process document

Misconduct and Conflict Management policy

This policy outlines the steps to be taken when responding to situations where there are allegations of improper or inappropriate behaviours, including:

1. allegations of child abuse or risk of harm,
2. serious misconduct such as bullying or harassment,
3. breaches of the Code of Conduct, and
4. when there is conflict between adults in the congregation, the church leadership and / or the minister.

Each of these matters is very different and has different procedures to be followed, as outlined below.

Our commitment:

- We will respond to allegations of child abuse or risk of harm, and misconduct immediately and in accordance with our legislative responsibilities.
- We will deal promptly and fairly when there are accusations of unwanted behaviour and misconduct for any employee, volunteer or attendee.
- We will deal promptly and fairly with matters of conflict brought about by misunderstanding or serious differences of opinion.

General principles

In dealing with any situation of conflict or misconduct, the following principles should apply:

- ✓ Engage early and with sensitivity.
- ✓ Act fairly and without bias, and avoid any conflict of interest
- ✓ Always show love, grace, respect and self-control towards all parties concerned
- ✓ Work towards resolution and reconciliation, accepting differences where appropriate.
- ✓ Be guided by the principles expounded by Jesus in Matthew 18:15-35.
- ✓ Allow all parties to have an independent witness/ support person present if requested.
- ✓ Protect confidentiality and privacy for all involved.
- ✓ **Good record keeping** assists in improving accountability and promotes transparent decision making. It is important to keep records of decisions and actions for any matters where a 3rd party is involved (from within or outside our church), or when a formal interview is conducted or warning issued. See [Record Keeping Policy](#).
- ✓ The [Rules of Respect](#) are to be encouraged at all times (see below).

1) Allegations of child abuse or risk of harm.

Full details of the procedures to follow when an allegation of child abuse or risk of harm for a child is made, are detailed in the *Safe Church Policy*. The following is a summary of the key elements:

1. We will respond to allegations of child abuse or risk of harm, and misconduct immediately and in accordance with our legislative responsibilities.
2. We have a **Safe Church Concerns person** to manage all reports, concerns and queries about abuse of a child or other vulnerable person, in the church or its participants.
3. We will adhere to our responsibilities under **REPORTABLE CONDUCT LEGISLATION** for all allegations of abuse made against employees or volunteers engaged in church activities.
4. All attendees at WPBC must abide by all **legal requirements** that protect children from abuse.
5. We will follow the procedure outlined in the *Police and Working with Children check policy* regarding persons of concern, including those receiving a Negative Notice after applying for a working with children check.
6. When an allegation is made we will provide support to alleged victims and perpetrators alike. We will keep all matters discussed confidentially, and store records in accordance with the *Record Keeping policy*.

2) Serious misconduct including bullying, sexual harassment and discrimination

Some forms of conflict can be characterized as bullying or unlawful discrimination or harassment. When this misconduct occurs *between adults* the procedures to be followed are outlined below.

DEFINITIONS:

Bullying is repeated, unreasonable behaviour directed towards another person by one or more people, which is likely to victimise, humiliate, undermine or threaten them. While a single incident may not constitute bullying, isolated incidents that are perceived or reported as bullying should not be ignored. All such incidents should be investigated and addressed to ensure that repetition is prevented.

The following types of behaviour could be considered bullying:

- verbal abuse, harassment or intimidation; or electronic messaging of the same,
- deliberate exclusion,
- spreading gossip or rumours, and
- unreasonable threats of dismissal.

If a bullying issue arises, the misconduct resolution procedures should be followed, as explained below.

Unlawful discrimination and Sexual Harassment. The church must comply with its obligations under equal opportunity legislation and provide a workplace free of unlawful discrimination and sexual harassment. The Minister is also required to ensure that their conduct does not constitute unlawful discrimination or sexual harassment.

Unlawful discrimination occurs:

- Directly - when a person with an attribute (ie personal characteristic or feature) is treated less favourably than someone without that attribute;
- Indirectly - when an unreasonable condition, requirement or practice is imposed that someone with an attribute does not or cannot comply with, whereas people without that attribute do or can.

In determining whether a person discriminates against another, their motive is irrelevant.

Sexual harassment occurs where a person;

- Makes an unwelcome sexual advance, or an unwelcome request for sexual favours to another person; or
- Engages in any other unwelcome conduct of a sexual nature in relation to another person in circumstances where a reasonable person would expect the other person to be offended, humiliated or intimidated.

Allegations of bullying, unlawful discrimination and sexual harassment are serious matters and are to be addressed immediately according to the process outlined below. The general principals outlined above also apply.

Step One – Informal Discussion - In the first instance, if the person with concerns feels safe and comfortable to do so, they are encouraged to tell the person concerned that their behaviour is objected to strongly and they do not want it repeated. It is important that personnel focus on the specific behaviour concerned and explain why it is considered to be offensive. More often than not, this is all that is required to put an end to the matter. Often a person is not aware that their behaviour is upsetting or intimidating and they will stop immediately once they are told.

Step Two – Formal Discussion - If the above approach is unsuccessful in resolving the issue, or if it is considered too difficult or unsafe for the person with concerns to raise them alone, then a member of the church leadership team should be approached with the individual's concerns. At this stage the concerns ideally will be put in writing. The Deacon will then have discussions with each party individually, allowing each party to explain their version of events, and then if possible, meet together, with a support person present if desired, in an attempt to resolve the matter, where appropriate.

Step Three – Determination - In the event of there being a significant bullying, discrimination or harassment proven and a resolution is not possible or desirable, appropriate action will be taken. This may include counselling, disciplinary action or termination of employment.

If the Leadership team finds that a church attendee has harassed or bullied another church attendee or employee, they will be given a written notice informing them that they are not welcome to continue attending WPBC unless the behaviour ceases. The congregation will receive a brief explanation of the circumstances and determination made.

NOTE :

- **The assistance of the BUV's Regional Pastor or Professional Standards worker should be sought in all matters where there is an allegation of bullying or discrimination involving the Minister.**
- An independent mediator may also be involved in allegations of these behaviours between church attendees.
- If the matter is not resolved to the complainant's satisfaction, they are entitled to pursue the matter under equal opportunity legislation through the Victorian Equal Opportunity Commission.

3) Breaches of the WPBC Code of Conduct

West Preston Baptist Church requires that all church leaders, including the Minister, Deacons, Ministry Area Coordinators and other volunteers commit to our Code of Conduct.

Any concern about a breach of the Code of Conduct is to be reported promptly and privately to a Deacon for their further action. NOTE: If the allegation includes anything regarding behaviour towards children, the process outlined in part 1) of this policy will apply.

The Deacon and/or Minister will:

1. meet with the person making the complaint, to obtain details of the nature of the concern;
2. meet with the person about whom the complaint is made, advising them of the matter raised, and seeking their response or explanation;
3. make a report to the Deacons who will determine whether any further action shall be taken. This might involve providing education as to appropriate behaviours, requesting an undertaking to cease the behaviour or asking the volunteer to step down from their role.

The General Principals outlined above are to be followed at all time.

4) Disagreements and conflict between adults in the church

From time to time, in every community, issues arise, misunderstandings occur and conflict develops. The core Biblical values that support this process are truth-telling (Eph 4:15,25), justice-seeking (Micah 6:8), grace-giving (Col 3:13) and peace-making (Matt 5:9, Eph 4:2-3). The overall process is outlined in Matt. 18:15-20 where Jesus indicates both God's presence in the process of resolution and also the significance which God places on the outcome reached.

Steps to conflict resolution:

Step One – Informal Discussion - In the first instance the two involved parties attempt to resolve the issue through prayer, and conversation together. In this step, parties seek to understand the perspective and viewpoint of the other. An apology may be offered, or a process of restoration proposed. If the matter is resolved, no further action is needed.

Step Two – Formal Discussion - If the above approach is unsuccessful in resolving the issue, or for some reason it is considered too difficult for the two parties to meet alone, then a member of the church leadership team should become involved in having discussions with each party individually, and then if possible, together, with a support person present if desired.

Step Three – Mediation - In the event of there being a significant difference of view between the two parties that cannot be satisfactorily resolved within the resources of the church, OR the conflict is of such a nature that a direct discussion involving the church leadership would be inappropriate, the assistance of the BUV Regional Minister, or other independent mediator, should be sought immediately.

Nine Rules for Respect:

A communication covenant to help congregations build trust, drawing on Proverbs 25:9–15 and Ephesians 4:15–16

Rules for Respect

1. If I have a problem with another person, I will go to them privately.
2. If someone has a problem with me, I want them to come to me privately and will try to be open when they come.
3. If someone has a problem with me, and comes to you, send the person to me. (I'll do the same for you.)
4. If someone hesitates, say, "Let's go together". Provide support
5. Be careful about how you interpret me and I will be careful about how I interpret you
6. If it's confidential, I won't tell. (Unless someone is harming themselves or someone else.)
7. I won't send or pay attention to unsigned letters or notes. Information should always travel with a person's name so it can be cleared up if necessary.
8. I will not manipulate; I will not be manipulated.
9. When in doubt, I will bring up my concern or questions.

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Document control					
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3	Annual review of policy	Kerry Edwards	Deacon	18 June 2013	Diaconate
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5.	Biannual review of policy	Elizabeth Williams	deacon	11 April 2016	Diaconate
6	Biannual review of policy and updating in light of the Safe Church training.	Elizabeth Williams	Secretary of deacons	16 October 2016.	Diaconate
7	Substantial revision to include management of serious misconduct, and breaches of Code of Conduct	Elizabeth Williams, Kirsty O'Donohue	deacons	22 nd July 2018	Diaconate
8	Review and minor clarifications added	Paul Hicks	deacon	5/8/19	Diaconate
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