



## Memorial Community Church Grievance Policy and Procedure

**PURPOSE** This policy is available for addressing grievances to all friends, members, contractors and employees of Memorial Community Church

It's by no means the only way to resolve grievances which may arise in our community but is an important part of the congregation's commitment to justice, equity and compassion in human relations. We encourage members, friends, contractors and employees who are aggrieved to attempt to resolve disagreements directly and informally. For instance a confidential discussion with the minister, or an elder or deacon available for any member or friend of Memorial Community Church.

### GUIDELINES

1. This policy shall be interpreted and implemented in accordance with Memorial Community Church's constitution and principles, including especially our commitment to justice, equity and compassion in human relations, the inherent worth and dignity of every person, the responsible search for truth and the use of the democratic process within our congregation. This procedure shall be administered with due regard for the rights of both grievants and of any persons against whom a grievance has been filed.
2. Grievances should or will be handled confidentially. This does not mean secretly. Whilst the normal course of events will mean that the details are limited to a very small number of people, good governance may mean that details have to be shared with a wider group (e.g. the Deacons) and with external bodies, (e.g. the police or social services).
3. Grievants should be encouraged to resolve their difficulties informally, before invoking the formal process.
4. At any stage of the grievance process, parties may choose a member or friend of Memorial Community Church to provide moral support and to serve as an informal advisor. The parties involved and their wider support should not discuss the grievance more widely.
5. Those representing MCC in grievance procedures should, insofar as it is possible, be disinterested in the outcomes. It shall be the responsibility of each church member who participates in determining a grievance to excuse themselves if there is a conflict of interest, including but not limited to kinship and close personal friendship to a party that prevents them from making an impartial decision; or if the member is or should be a witness. The deacons may at their sole discretion seek to engage an external person or body to investigate the grievance and make recommendations if they deem that that is the appropriate course of action.
6. Any person lodging a grievance has the reasonable expectation that the grievance will be taken seriously and that MCC will respond appropriately. No minister, employee, contractor, member or friend of Memorial Community Church should ridicule or otherwise denigrate any friend or member because they have filed a grievance. Retaliation against anyone for filing a grievance is a violation of this policy and should be brought to the attention of the minister or church secretary for appropriate action. All parties will refrain from discussing the issues outside of the formal process.
7. A record will be kept of grievances filed and the outcomes in the Minutes of the Deacons meetings.

**Definitions** The following terms shall have these meanings in this Grievance Policy:

1. A "grievant" is any person who has filed a grievance under this procedure.

2. A "Grievance Panel" is comprised of three members drawn from the Diaconate or Elders, designated to hear a specified grievance. The Deacons will decide on a 'chairperson'.

3. The "parties" to a grievance are the grievant or grievants and the person or persons against whom the grievance is filed.

**Scope** Except for those situations addressed by other written policies of Memorial Community Church, this Grievance Policy is intended to handle any dispute which is not resolved informally, arising between any members of our community, including friends, members, employees and contractors in connection with church-related activities, except where the grievance is against the church Minister.

Where the grievance is against the church minister this will be referred to the Regional Minister and his/her guidance will be followed.

### STEPS OF THE GRIEVANCE PROCEDURE

**Stage 1 – Filing/Investigation of the Grievance Filing** – A grievance must be in writing and must be filed with the Minister (as the Chair of the Deacons and the Church Meeting), or if there is no Minister, or the grievance involves the Minister, with the Church Secretary. Grievants are encouraged to file the grievance as soon as possible after the events giving rise to the dispute. Although this policy doesn't set a specific deadline it is within the discretion of the Minister or Church Secretary to decline to take action on a grievance if it is filed over 90 days after the event. The grievance should specify the conduct, the individuals involved, the date or dates of the relevant events, and any witnessed to the events described. It should also state the remedy that the grievant is seeking.

**Investigation** – Grievances will be investigated at Step 1 by the Grievance Panel. The Diaconate will give the Grievance Panel a deadline by which to complete the investigation. The investigation at Step 1 will be fair and impartial. It will ordinarily be handled in an informal manner, such as an informal meeting rather than a formal hearing, at the discretion of those conducting the investigation. All individuals involved will be given an opportunity to explain their side of the events. All witnesses will be contacted and interviewed. All the proceedings of the Step 1 Investigation will be conducted in a confidential manner, unless all parties agree otherwise.

**Determination** – Deliberations of the Grievance Panel will be closed and confidential. A majority vote of the three members of the Grievance Panel shall determine the matter. The Grievance Panel will make written determinations of the grievance and send a copy to all parties and to the Minister (or Chair of the Diaconate) and Church Secretary.

The Grievance Panel will maintain for at least two years written records of all grievances filed and the investigation and resolution of them. The records will be confidential unless all parties and committee members agree otherwise. In the event the determination is not appealed, the matter will be considered resolved on basis of the response.

Any aspect of the determination that is not appealed and involves discipline of an employee or removal from office of any church officer, volunteer or committee member shall be referred to the Diaconate for action.

**Appeal** – Within ten calendar days of the date of determination by the Grievance Panel, any party to the grievance may appeal the determination by filing a written notice of appeal with the Minister (or Chair of Diaconate). The notice of appeal should state the reasons for the appeal and the substance of the disagreement with the determination. An appeal will NOT rehear the original grievance. The grounds must state the way in which the panel either:

- failed to follow the correct procedure
- exhibited or acted with bias or malice
- failed to take into account matters which were brought to its notice and were relevant

or

- must include new evidence which was not available at the time of the initial deliberations, which is relevant and pertinent.

**Stage 2** –The Diaconate shall create a panel for the purpose, which will normally be Chaired by the Secretary. The Diaconate shall appoint the Secretary and two members who were not parties to the original investigation and set a schedule for the consideration of the grievance. They will do this at the first regularly scheduled Deacons Meeting after the Minister/Chair receives the notice of appeal.

The decision of the Panel on the appeal shall be based on the written records and determination made at the first stage, unless there are specific additional matters that the Diaconate determines are necessary to consider in the interest of fairness. A simple majority of the Panel is required to make a decision. The findings and decision of the Panel will go to the Diaconate for NOTE. The Deacons will not rehear the case.

The decision of the Appeal Panel is final and binding on all parties and the church

Date February 2021

Commented [HC1]: