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| ATTENTION | Rectors and Parish Councils | | |
| SUBJECT | Diocesan policy for dealing with allegations of unacceptable behaviour | | |
| DATE | 27 January 2016 | | |
| SDS CONTACT | Steve Lucas | szl@sydney.anglican.asn.au | ☎ 9265 1647 |

KEY POINTS

- Synod passed a new policy in October 2015 for dealing with allegations of unacceptable behaviour, including bullying, made against clergy and church workers in parishes
- The new policy commenced on 1 January 2016
- Synod requested that a copy of the new policy be circulated to all rectors and parish councils for their attention and that parishioners be made aware of the policy

ACTION ITEMS

- Rectors should familiarise themselves with the new policy, particularly the policy principles and the model procedures (with accompanying notes) as they relate to the local resolution of allegations
- Rectors and parish councils should make parishioners aware of the new policy, for example by including a link to the new policy on the parish’s website

DETAIL

Purpose

1. The purpose of this circular is to inform rectors and parish councils about the diocesan policy for dealing with allegations of unacceptable behaviour.

Background

2. The Synod passed the diocesan policy for dealing with allegations of unacceptable behaviour (the “new policy”) on 20 October 2015.
3. The new policy commenced on 1 January 2016. It replaces a previous policy passed by the Synod in 2010.
4. The purpose of the new policy is to encourage people in our parishes to deal with allegations of unacceptable behaviour in a godly and wise way. It encourages people to seek reconciliation, with repentance where needed.
5. A copy of the new policy can be found on the SDS website [here](#).

Scope of the new policy

6. The new policy applies to allegations of unacceptable behaviour by clergy or church workers in parishes. “Unacceptable behaviour” means any conduct which falls short of the standard of behaviour expected of clergy and church workers. This standard of behaviour should be understood by reference to –

- *Faithfulness in Service*, being the code which sets out certain standards of personal behaviour for clergy and church workers in the Diocese, and
 - the *Discipline Ordinance 2006*, which makes certain types of behaviour by clergy and church workers an offence under the rules of the Diocese.
7. It is important to note that certain kinds of allegation must be referred directly to the Director of Professional Standards to determine whether it is appropriate to deal with the allegation under the new policy or in some other way. The types of allegation which must first be referred to the Director of Professional Standards are –
- allegations of sexual misconduct and misconduct involving children,
 - allegations of conduct which breach a standard in *Faithfulness in Service* where the person by or on whose behalf the allegation is made has suffered harm or is at risk of harm,
 - allegations which may involve criminal conduct or professional misconduct.

Policy principles

8. The new policy sets out a number of principles for dealing with allegations of unacceptable behaviour. They apply generally regardless of who deals with the allegation under the policy.
9. In short, the policy principles encourage allegations to be dealt with by discussion, cooperation and conciliation consistent with Biblical principles where possible and appropriate. However the principles recognise that it is not always appropriate to deal with allegations by conciliation, for example if an allegation is serious or the nature of the relationship between the parties makes conciliation inappropriate. If so, the principles provide that other options for dealing with the allegation appropriately must be considered.

Model procedures (and accompanying notes)

10. The new policy sets out model procedures for dealing with allegations in a flow diagram appended to the policy. The model procedures and accompanying notes set out a framework within which the policy principles can be applied.
11. The model procedures provide for 3 levels for dealing with allegations under the policy, namely–
- Step 1 – Direct resolution (by the person making the allegation)
 - Step 2 – Local resolution (with the assistance of the rector)
 - Step 3 – Diocesan resolution (with the assistance of the regional bishop)
12. The 3 levels reflect the policy principle which encourages, where possible and appropriate, allegations to be dealt with as close as possible to their source. That is, the person making the allegation is encouraged to try to resolve the matter directly with the person concerned before seeking the assistance of the rector or, ultimately, the regional bishop.
13. If it is not possible or appropriate to resolve the matter directly with the person concerned, the model procedures provide that the matter should be referred to the rector who is to seek to resolve the matter through an informal process of local conciliation having regard to the policy principles.
14. If the allegation is about the rector or a member of his family, or the parties are not able to reach a mutually acceptable outcome through an informal process of local conciliation facilitated by the rector, the matter can be referred to the Regional Bishop to review the options for appropriately dealing with the matter.

Further information

15. If you require further information about the application of the new policy, please contact the SDS Legal Counsel, Mr Steve Lucas, on 9265 1647 or at szl@sydney.anglican.asn.au.

ROBERT WICKS
Diocesan Secretary