



Taking Bullying and Other Misconduct Seriously

Information for clergy and church workers

**sydney
anglicans⁺**

OFFICE OF THE DIRECTOR
OF SAFE MINISTRY



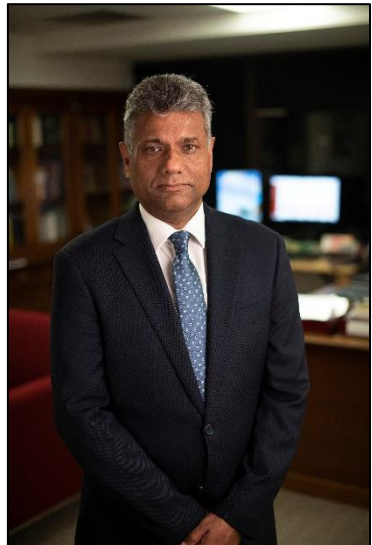
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The Anglican Church Diocese of Sydney takes bullying and other misconduct **seriously**.

Jesus is famously and strikingly blunt when he speaks of the blame that attaches to those who cause his 'little ones' to stumble:

If anyone causes one of these little ones – those who believe in me – to stumble, it would be better for them to have a large millstone hung around their neck and be drowned in the depths of the sea. Matthew 18:6-7

These sobering verses follow on from Jesus' teaching that 'unless you change and become like little children, you will never enter the kingdom of heaven' (Matthew 18:3) and 'whoever welcomes one such child in my name welcomes me' (Matthew 18:5).



Jesus radically altered the status of children in his own culture and society. Most notably, the early Christians not only gave up the common practice of infanticide by 'exposure' but also began to rescue the children who were abandoned by others, and to care for and raise them in Christian homes. To be a Christian is to love and protect our neighbours.

So I say to you, bullying and misconduct of any kind cannot be tolerated in the church of God, or in the community, and especially by those who have been charged with a responsibility for ministry in our midst, whether lay or ordained.

As ministers of the gospel, we are called to be models of love to those whom we serve. As Paul encouraged Timothy to follow his example, so we too are to be examples to the flock of God's people in our manner of life.

This brochure has been designed for clergy and church workers to understand the serious nature of bullying and other misconduct among the people of God. It describes the Diocese's processes and the support available to those involved. It is an important element of our 'safe ministry' that you are familiar with the contents of this document for your own reference and prayerful reflection.

“As ministers of the gospel, we are called to be models of love to those whom we serve.”

Clergy and church workers must treat such matters with the utmost seriousness. Our ministry of compassion and care, especially towards the vulnerable, is of vital importance. Be assured of my prayers for all those involved in these matters. Remember that healing and hope are to be found in Jesus alone.

Kanishka Raffel
Archbishop of Sydney

The Anglican Church Diocese of Sydney expects the highest standard of behaviour from all people who are involved in its ministries. This includes all members of the clergy and all church workers or office holders, whether paid or unpaid. They are collectively referred to in this document as *church workers*. Church workers are to be “above reproach”.

These standards are grounded in Scripture and set forth in the national code for personal behaviour and the practice of pastoral ministry by clergy and church workers, *Faithfulness in Service*. Particular breaches of these standards are referred to in this document as misconduct.

Synod has passed the *Ministry Standards Ordinance 2017*. It establishes a process for receiving and dealing with allegations or complaints that particular standards have been breached. The process aims to deal thoroughly and properly with complaints whilst being fair to those against whom allegations are made.

This brochure contains information on that process for clergy and lay church workers.

The Diocese takes complaints of bullying and other misconduct very seriously. Bullying can take many different forms, including direct physical and verbal conduct, other more subtle and manipulative behaviour, or even online ‘trolling’.

We need to recognise that verbal bullying and trolling can be just as harmful as physical assault. In fact, the psychological impacts of these forms of abuse can be deeper and longer lasting. Bullying can even lead to suicide by the victim. Another danger associated with bullying is that bullies can be blind to the extent of their impact on their victims. Misuse of power and authority is often at the heart of bullying.

The [*Faithfulness in Service*](#) and [*Ministry Standards Ordinance 2017*](#) documents can be found at www.safeministry.org.au.

Who is affected by the *Ministry Standards Ordinance 2017*?

A *church worker* is defined as a person who is or has been a member of the clergy, or holds or has held any position of leadership within the Diocese.¹ This includes those who are unpaid volunteers. Some (non-exhaustive) examples are:

- a member of the ordained clergy
- an office-holder in the Diocese
- a member of a church governing body board, council, committee, Synod, Standing Committee, regional council or parish council
- a church warden, musician, choir leader, parish council secretary or parish treasurer
- leaders of Sunday Schools, Bible classes, study groups, youth fellowships or other parish organisations
- a chief executive officer of a diocesan organisation, such as Anglicare, Youthworks and principals of some diocesan schools
- a person appointed by a rector, an acting rector, church warden, parish council or by their delegate.

If the bullying or misconduct has occurred in another diocese, denomination, state or country, the matter will be referred to the relevant authority.²

¹ *Ministry Standards Ordinance 2017* cl 5.

² *Ministry Standards Ordinance 2017* cl 18.

What is bullying or other misconduct?

The Diocese's *Ministry Standards Ordinance 2017* defines misconduct as behaviour that, if established, would call into question the fitness of a church worker to hold their position and perform its functions (temporarily or permanently).³ This includes:

- bullying – repeated unreasonable behaviour that creates a risk to the health and safety of a person. It can involve:
 - making derogatory, demeaning or belittling comments or jokes
 - spreading rumours or innuendo or undermining performance or reputation
 - dismissing or minimising legitimate concerns or needs
 - inappropriate ignoring, or excluding someone from information or activities
 - touching someone threateningly or inappropriately
- emotional abuse
- harassment
- spiritual abuse
- failure to report abuse
- threatening or obstructing a person who intends to make or has made a complaint
- obstructing or not cooperating with the investigation of a complaint.

Please refer to the *Ministry Standards Ordinance 2017* and *Faithfulness in Service* for complete and detailed definitions of bullying and other misconduct.

There is another brochure for clergy and lay church workers regarding other types of misconduct, such as sexual abuse.

³ *Ministry Standards Ordinance 2017* cl 6.

The Diocese also has a [Policy for dealing with allegations of unacceptable behaviour by clergy and church workers in parishes](#). The Policy outlines how a matter might be resolved by mutual agreement without the involvement of the ODSM and a person who wishes to make a complaint should consider whether it would be preferable to utilize the policy before proceeding with a complaint.⁴ For example, it may be appropriate for the rector of the parish or Regional Bishop to seek to resolve the matter through conciliation. Any issue being addressed under the Policy can be referred to the ODSM at any time to be dealt with under the *Ministry Standards Ordinance 2017*.

What happens if a report of bullying or misconduct is made?

Complaint

When a person makes a report to the ODSM, they will be asked to record the following:

- what is alleged to have happened and the nature of the alleged bullying or other misconduct
- the name of the person who is alleged to have experienced the bullying or other misconduct
- the name of the person who it is alleged has engaged in the bullying or other misconduct (the 'respondent')
- the parish or organisation for which the person who has engaged in the alleged bullying or other misconduct was working
- when and where the alleged bullying or other misconduct occurred
- any other relevant supporting information.

The ODSM will then decide whether to bring a 'complaint' against the respondent under the *Ministry Standards Ordinance 2017*. A complaint is brought so that we can make a decision about the fitness of the respondent to

⁴ *Ministry Standards Ordinance 2017*, cl 9(2).

be a church worker. At an appropriate time a response will be obtained from the respondent.⁵

Facilitated Conversations and Conciliation

If appropriate, the respondent will have the assistance of the ODSM chaplain or a facilitator to help to resolve the issues with the aggrieved person. The chaplain or facilitator can meet with the respondent to discuss a way forward. They will also have spoken with the complainant and will make recommendations on next steps.⁶

Next steps may involve facilitated conversations between the respondent and the complainant if it is appropriate in all of the circumstances. This process depends upon the voluntary consent of the aggrieved person.

Mentoring

The respondent may be offered ongoing support from a chaplain or facilitator who can act as a mentor for the respondent where appropriate.

Counselling

The respondent may choose to have the support of a counsellor to process what is alleged to have happened. The counsellor may help the respondent to assess whether there is a need to grow in insight and empathy through the power of the Holy Spirit.

Investigation

If all of the reported matters cannot be resolved by other means, and the report proceeds under the *Ministry Standards Ordinance 2017* as a formal complaint, then the allegations may be independently investigated.

This will include obtaining a formal response from the respondent.

The investigation may include the Investigator asking the complainant to clarify the circumstances surrounding the allegations and provide any further information which may be needed as a result of the investigation.

⁵ *Ministry Standards Ordinance 2017* cls 25, 26.

⁶ *Ministry Standards Ordinance 2017* cls 18A, 18B.

The respondent will be given an opportunity to respond to the investigator's report.⁷

Consideration

If the respondent is an unpaid lay church worker, an independent Adjudicator may be appointed who will review the complaint and Investigator's report if applicable. They will make recommendation(s) in relation to the respondent. The Adjudicator will be an experienced lawyer with no connection to the matter.

If the respondent is a member of the clergy or a paid lay church worker, the Ministry Standards Committee (MSC) will review the complaint and make recommendation(s) in relation to the respondent.⁸

When determining the fitness of the respondent to be a church worker, the Adjudicator or MSC will take into account the matters raised by both the complainant and the respondent, as well as all the circumstances of the case as revealed by any investigation. A detailed list of what they must consider is contained in the *Ministry Standards Ordinance 2017*.⁹

The process, up to and including the consideration of the matter by the Adjudicator or MSC, is not adversarial in nature but involves a review of all documentation provided.

Depending upon the nature of the complaint, the respondent may be stood down from their position during the process.

If the complaint raises matters of complexity, it can take a considerable period of time for the MSC or Adjudicator to deal with the complaint.

⁷ *Ministry Standards Ordinance 2017* cls 28, 34.

⁸ *Ministry Standards Ordinance 2017* cl 34, 35.

⁹ *Ministry Standards Ordinance 2017* cls 29, 35(2).

Outcomes

The aims of the process are that:

- complainants have every opportunity to bring forward allegations of bullying or other misconduct and they are heard
- complainants have every assistance to deal with the issues that arise for them, including any need for affirmation and support
- complainants have a chance, where appropriate, to consider whether forgiveness of the respondent is possible, while never overlooking or forgetting the consequences of the bullying or other misconduct
- respondents have every opportunity to bring forward their response to allegations of bullying and other misconduct
- respondents are brought to account where appropriate, are given an opportunity to apologise, and are encouraged to seek to make amends and to face up to the consequences of their behavior
- vulnerable people are protected.

Possible outcomes of the complaints process include the Adjudicator or MSC recommending to the Archbishop that the respondent:

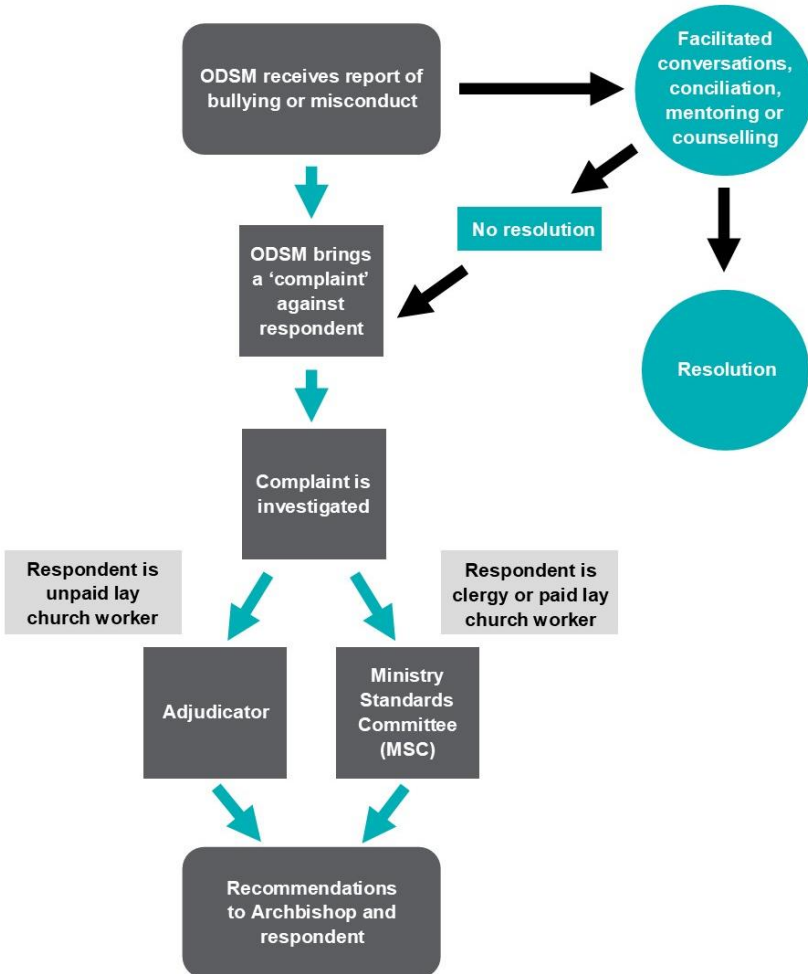
- make an apology
- make reparation
- undertake training
- undertake counselling
- participate in facilitated conversations with complainant
- participate in a 360 Review Survey
- work with a qualified professional to grow in insight and empathy
- undertake group therapy
- undertake professional supervision
- engage an approved mentor for discipleship
- be suspended
- have their authority revoked
- have their employment terminated
- resign from office or employment
- not accept nominations or appointments
- relinquish holy orders (where the respondent is a member of the clergy)
- be subject to a prohibition order
- enter into a safety plan
- have no further action taken against them with respect to the complaint.¹⁰

¹⁰ *Ministry Standards Ordinance 2017* cls 30, 41.

Summary diagram of the complaints process

Please note: this diagram summarises steps and actions that may be taken under and outside of the *Ministry Standards Ordinance 2017* and is not comprehensive.

Complaints regarding clergy or paid lay church workers that are not resolved at the Ministry Standards Committee stage may be referred to the Ministries Standards Board for final determination.



Do respondents need to get legal advice?

The Director of Safe Ministry is required to caution respondents not to make admissions in response to a complaint without the benefit of legal advice. However, whether a respondent chooses to get legal advice is a personal decision. Respondents may want to bear in mind the following when considering the level of legal intervention or advice they wish to obtain, if any.

Respondent is unpaid lay church worker	Respondent is clergy or paid lay church worker
The complaints process is not adversarial in nature and does not involve the respondent appearing before the Adjudicator.	The complaints process is not adversarial in nature and does not involve the respondent appearing before the MSC.
The determination of the matter by an Adjudicator is binding.	If the MSC makes recommendations in a matter, they are non-binding and subject to acceptance by the respondent.
An adjudicator has no power to award costs. The respondent is responsible for meeting their own legal costs of responding to a complaint.	Reasonable legal costs are able to be reimbursed by the Diocese in accordance with a capped scale of fees* set by the Standing Committee.

* A copy of the scale of fees can be obtained from the Director of Safe Ministry upon request.

How will we support respondents?

The process may take a significant amount of time to be resolved and can be difficult and upsetting for all those involved.

Counselling at the cost of the ODSM is available to respondents during the complaints process. Counselling may also be available to the family of a respondent if this is appropriate. Respondents are also encouraged to seek a support person who can attend meetings and interviews alongside the respondent. The ODSM can assist in finding an appropriate person for this role.

Important sources of further information

Office of the Director of Safe Ministry (ODSM)

www.safeministry.org.au

(02) 9265 1604

info@safeministry.org.au

Abuse Report Line: 1800 774 945 or abusereport@safeministry.org.au

Lifeline – crisis support and suicide prevention

www.lifeline.org.au

24-hour Helpline: 13 11 14

Suicide Call Back Service

www.suicidecallbackservice.org.au

24-hour Helpline: 1300 659 467

MensLine – telephone and online counselling for men

www.mensline.org.au

1300 78 99 78

Anglicare Counselling

www.anglicare.org.au/what-we-offer/counselling

1300 651 728

Clergy Assistance Program – support for clergy and spouses

www.anglicare.org.au/what-we-offer/counselling/clergy-assistance-program

1300 094 587

Relationships Australia NSW & ACT – individual and family counselling

www.nsw.relationships.com.au

1800 025 441

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