

# 15. CONFLICT RESOLUTION

## **INTRODUCTION**

15.1 Much of the Guidelines for Partnership between Congregations and Ministers are about establishing good practice in running a ministry, including clear expectations from the outset and transparency and good communications during the ministry. These guidelines are essentially about best practice and avoiding problems.

15.2 Problems, however, may arise from time to time. A grievance and a disciplinary procedure are outlined below, which should be used to address such problems.

Grievances are concerns, problems or complaints that may be raised by the Minister.

Disciplinary procedures are procedures that are used to address concerns raised by the Congregation.

## **GRIEVANCE PROCEDURE**

### **Informal Procedure**

15.3 It is important that anyone who feels dissatisfied with a matter relating to their work should be able to resolve the issue as soon as possible. It is also important to distinguish between an informal and a formal approach to this resolution. The informal approach should nearly always be tried first, as it presents the opportunity for the matter to be resolved speedily and as amicably as possible (and does not prevent making a formal complaint later). A typical informal approach would be to speak to the Chair (or another trusted Officer if the complaint is about the Chair) to clarify what the concern is, to discuss why the Minister is dissatisfied, and to seek to achieve a resolution. There is no reason why the outcome of such an informal approach cannot be recorded to provide guidance for the future.

15.4 Independent mediation would normally happen as part of the Informal Procedure if it is viewed as desirable. If independent mediation either from within or from outside the denomination is judged appropriate, then the local District Association and/or the General Assembly of Unitarian and Free Christian Churches can be approached to suggest a mediator.

### **Formal Procedure**

15.5 If the Minister does conclude that the matter is most appropriately dealt with formally, he/she should inform the Secretary (or the Chair if the complaint is

## **CONFLICT RESOLUTION**

about the Secretary) in writing. A meeting of the Committee should be convened within ten days of receipt of the grievance. The Minister should be present at the meeting and may be accompanied by a colleague or trade union officer. The meeting will consider the information available and reach a conclusion as to whether action is necessary to rectify the grievance, and, if it is, what that action is. The Secretary (or the person substituting for the office) will confirm the outcome of the meeting to the Minister formally within seven days of the meeting. The Minister has the right to appeal against this decision by using the procedure a second time, and this decision is final.

If practically possible, two or three members of {the Committee of} the Congregation should exclude themselves from all involvement in the initial part of the procedure in order to be available to consider any appeal without the prejudice of previous involvement.

The Minister is expected to continue working normally while his/her grievance is being considered.

### **DISCIPLINARY PROCEDURE**

15.6 The Minister is expected to behave in a fully professional manner and not in such a way that might bring the Congregation or the denomination into disrepute.

#### **Informal Procedure**

15.7 It is important that any dissatisfaction with a matter relating to work should be resolved as soon as possible. It is also important to distinguish between an informal and a formal approach to this resolution. The informal approach should nearly always be tried first, as it presents the opportunity for the matter to be resolved speedily and as amicably as possible (and does not prevent making a formal complaint later). A typical informal approach would be for the Chair (or another trusted Officer) to speak to the Minister to clarify what the concern is, to discuss why the Congregation is dissatisfied, and to seek to achieve a resolution. However, on occasion, an informal approach is unsuccessful, and guidance on a formal procedure is therefore set out below.

15.8 Independent mediation would normally happen as part of the Informal Procedure if it is viewed as desirable. If independent mediation either from within or from outside the denomination is judged appropriate, then the local District Association and/or the General Assembly of Unitarian and Free Christian Churches can be approached to suggest a mediator.

# CONFLICT RESOLUTION

## Formal Procedure

15.9 The {Committee of the} Congregation should write to the Minister setting out the grounds for considering that disciplinary action might be appropriate and inviting him/her to an investigatory meeting.

15.10 An investigation should be held within ten days of this notification. It will normally be conducted by one or two members of {the Committee of} the Congregation, who will then exclude themselves from any future involvement with the disciplinary process. In the event that the Chair of the Congregation concludes that there is no need for formal action as a result of the investigation, the matter will be at an end. In the event that the Chair of the Congregation concludes that there is a need for formal action as a result of this investigation, a disciplinary meeting will be convened within a further ten days. At all meetings, the Minister should be present, and has the right to be accompanied by a colleague or trade union officer. At the disciplinary meeting, the Minister will be able to respond to {the Committee of} the Congregation's concerns, to explain, and to make representations.

15.11 The Minister will be sent confirmation of the outcome of the disciplinary meeting within seven days of the meeting. The outcome may be a written warning or a final written warning, depending upon the seriousness of the allegations. In each case a warning has a "lifespan" of 12 months, after which it is to be disregarded for the purposes of being added to a previous warning. If a further warning is received in the "lifespan" of a previous final written warning, or if a final written warning is given in the "lifespan" of a written warning; the usual outcome is dismissal with notice. He/she will be advised that he/she can appeal against the decision by submitting his/her appeal in writing to the Secretary within seven days of receipt of confirmation of the outcome of the meeting.

15.12 If the Minister does appeal, a further meeting will be convened within ten days of receipt of the appeal at which he/she may be accompanied by a colleague or trade union officer. The Minister will be given the opportunity at the meeting to present his/her reasons for believing the conclusion of the initial meeting to be wrong.

If practically possible, two or three members of {the Committee of} the Congregation should exclude themselves from all involvement in the investigation and the initial part of the procedure in order to be available to consider any appeal without the prejudice of previous involvement.

The Minister will be sent confirmation of the outcome of the appeal meeting within seven days of the meeting.

## CONFLICT RESOLUTION

15.13 Reasons which might give rise to the need for disciplinary measures include:

- Being a disruptive influence
- Incompetence
- Unreliable timekeeping or attendance
- Failure to comply with congregational or denominational procedures
- Rudeness or lack of consideration

It would be expected that a written warning would be issued in response to such reasons; recurrence may result in the termination of the contract with notice.

15.14 Some concerns are so severe that they will result in termination of the contract without notice. Reasons that will result in the termination of the contract without notice include:

- Theft or dishonesty
- Serious breach of confidentiality
- Conduct during or outside working hours prejudicial to the interest or reputation of the Congregation or denomination. Guidance is given in Section 7 of Guidelines.
- Drunkenness or the use of illegal drugs
- Inappropriate use of the internet or email involving illegal or offensive material
- Misuse of the Congregation's time, money, equipment or other resources

15.15 No disciplinary sanction will be considered without applying the formal procedure described in 15.9 -15.12