



# PROCEDURE FOR INVESTIGATING COMPLAINTS OF SERIOUS MISCONDUCT

## PROCEDURE FOR HANDLING ETHICS COMPLAINTS WITHIN COCWA

### APPLICATION

- a) This complaint handling procedure deals with complaints of ethical breach by anyone accredited by COCWA, whether engaged by a Member (Church) or COCWA or any of its Partners and it applies whether the person is in paid employment or is a volunteer.
- b) Every such complaint is treated seriously. Every complainant is respected. Every accredited person is allowed the presumption of innocence until proven otherwise.
- c) It does not deal with complaints about the behaviour of non-accredited staff or nonaccredited volunteers.

### DEFINITIONS

- (i) Ethical breach refers to any failure to comply with applicable codes of ethics or conduct, or professional standards, established by COCWA or a Partner who employs a ministering person who holds COCWA Accreditation.
- (ii) Leadership Team means the Elders or Board of a Church, the COCWA Board or the Board of a Partner, or members thereof delegated to respond to the complaint; the composition is a matter for the Church, COCWA or Partner (resp.) to decide in consultation with the Ministry Ethics Group.
- (iii) Ministry Ethics Group (or Group) refers to the group of experienced lay persons, associated with Churches of Christ WA and Baptist Churches WA, who support these denominations, upon request, in connection with alleged and actual misconduct by accredited persons, recognised volunteers in ministry and/or other church crises. Group members serve as volunteers, but Churches and Partners are expected to meet relevant Response Team expenses.
- (iv) Partner refers to COCWA allied organisations who employ persons in chaplaincy or ministry roles where such persons hold COCWA Ministry Accreditation.
- (v) Response Team refers to members of the Ministry Ethics Group delegated to assist and guide the response to a particular complaint.

### GUIDING PRINCIPLES

1. The Church is to be God's instrument in restoring wholeness to creation. Accordingly, this procedure intends to establish a just response to any complaint of ethical failure, first to a complainant and also to the accredited person, while also expressing the love of Christ to both.
2. The principles of natural justice will be respected. Generally, a complaint will not proceed unless committed to writing and confirmed by the Complainant.
3. COCWA will work with the Church or Partner to ensure appropriate pastoral care is made available for the complainant, the accredited person, their families and the Church.
4. In exceptional circumstances, for example in the case of complaints concerning senior COCWA staff or board members, necessary variation to these procedures may be made by the Ministry Ethics Group in consultation with other senior leaders.

## PROCEDURE

1. A complaint:
  - a. May be lodged with the Executive Minister of COCWA and referred to the Ministry Ethics Group.
  - b. May be received by a Partner and copied to the Executive Minister of COCWA and referred to the Ministry Ethics Group.
  - c. Or may be received directly by the Ministry Ethics Group via [ethics@cocwa.com.au](mailto:ethics@cocwa.com.au).
2. If the complainant is a child or otherwise vulnerable person, the complaint shall be referred to be handled in accordance with the COCWA SAFE program and policies.
3. If the complaint comes direct to the Ministry Ethics Group, the Group informs the COCWA Executive Minister of the complaint to the extent considered necessary and appropriate in the circumstances.
4. The Ministry Ethics Group appoints a Response Team to assist and guide the Leadership Team in dealing with the complaint.
5. The Response Team meets with the Leadership Team in the absence of the Accredited Person, the complainant or any person with a conflict of interest.
6. The Response Team provides guidance to the Leadership Team on approaches to investigation, reporting and the consequences of findings (in terms of accreditation, etc.) and agrees to a process and the manner of their involvement in responding to the complaint. Any immediate actions, such as suspension from duties pending investigation, are also determined at this time.
7. The investigation proceeds as agreed and a report, including recommendations, is prepared.
8. The Leadership Team and the Response Team consider the report and decisions are made as to what action to take in connection with the complaint, as appropriate.
9. The Response Team also reports, and makes recommendation, to the COCWA Executive Minister on the outcome, including consideration of any implications for ongoing accreditation.
10. COCWA decides what action to take with respect to the accreditation of the person.
11. Implementation of any decisions lies with the COCWA Executive Minister and the Church or Partner, as applicable.
12. The Ministry Ethics Group maintains its best-practice guidelines on approaches, processes, precautions and considerations to protect all those people involved in the matter, particularly the complainant.
13. The Ministry Ethics Group reviews, with the COCWA Executive Minister, this procedure annually for efficacy and efficiency, and amendments are made as agreed.