

## Restorative Justice Council Guidelines and Practices for Addressing Complaints/Conflict

### Purpose

These guidelines and practices are established to assist the Council in addressing complaints or conflicts directly related to the work of the Council and/or to Council members. They are also intended to distinguish such complaints/conflicts from those that may come to the Council's attention, but fall outside the work of the Council and/or are unrelated to Council members.

### General Guidelines

- The Council is not a regulatory body; its authority to address complaints or conflicts related to its work is defined and limited by its authorizing legislation and bylaws.
- The Council has no authority or capacity to engage complaints or conflicts from the broader Restorative Justice field related to specific practices, practitioners or organizations that fall outside the direct work of the Council and do not directly involve Council Members.
- If the Council receives notice of a complaint or conflict related to an SCAO employee or contractor associated with the Council, the appropriate SCAO supervisor or contracting entity will be notified. Such supervisor or entity shall determine the Council's role, if any, in addressing such concerns.
- Complaints or conflicts which come to the attention of the Council will be assessed and responded to in as timely and confidential a manner as possible, in keeping with the practices defined below.
- If a complaint or conflict personally involves the Council Chair or any member of the executive committee, or may raise the appearance of a conflict of interest, such persons will remove themselves from all oversight related to such matter.

### Practices

When a Council Member, staff or contractor associated with the Council receives notice of a complaint or conflict, it shall be held in confidence other than forwarding it without further action to the Council Chair.

The Council Chair shall determine whether the complaint or conflict directly involves the work of the Council itself and/or a Council Member. The Council Chair may consult on a confidential basis with one or more members of the executive committee, as needed, to assist in making an appropriate determination.

If it is determined that it is an unrelated matter, the Council Chair or her/his designee shall so advise the complainant in writing, within 30 days of receipt of the complaint. No position shall be stated nor any further action taken by the Council regarding an unrelated matter; however, at the complainant's request, information may be provided regarding any known resources for facilitating such matters within the broader Restorative Justice community or other available oversight body.

If it is determined that the complaint or conflict involves an SCAO employee or contractor associated with the Council, the appropriate SCAO supervisor or contracting entity will be notified. Such authority shall determine the Council's role, if any, in addressing those concerns or assisting SCAO in early dispute resolution.

If it is determined that the complaint or conflict involves the work of the Council and/or a Council Member, the Council Chair will designate the executive committee or some subset thereof to communicate with the complainant within 30 days of receiving the complaint, to acknowledge the concerns and clarify what the complainant is requesting. If such acknowledgement and clarification is not adequate for resolution, a signed written statement of the concerns will be requested on a form provided by the Council, prior to any further action.

If such a statement is received, the executive committee or designated subset thereof will initiate communication with the individual(s) or organizations(s) named in the complaint within 30 days, to further assess the issues and possible resolution. If appropriate to the nature of the complaint, an offer of mediation or restorative dialogue will be made to the parties, to provide a voluntary opportunity for them to identify mutually agreeable outcomes.

If no substantial resolution is reached through the efforts above, the executive committee shall determine if the process will be closed without full resolution or whether the remaining concerns are of such a nature as to require further review by the appointing authority for a Council Member. The parties shall receive timely written notice of such determination.

Any information regarding a complaint or conflict shall be held within the confidential bounds set out above, except on a need-to-know basis for those directly involved in the complaint or conflict or as may otherwise be required by state law, Council bylaws or any applicable state administrative or personnel rules.

Adopted by the Council on April 28, 2017.

*Markus Riede*

*5/18/17*

*2017 Chair*