

Grievance Procedure

AKA The Grievance Procedure Little Blue Book.

In Lochac, grievance procedure is contained within Kingdom Law. This implies that anyone who does not follow correct procedure when they have a grievance is in breach of Kingdom Law (*also see Corpora appendix A*). Kingdom Law is relatively specific about how to handle grievances. This paper also contains some guidelines that are from the procedures manual about how to handle grievances and some interpretations of Kingdom Law.

Lochac Kingdom Law

The subject of Grievance Procedure is covered in Kingdom Law as follows:

(X) 3. Grievances

Anyone having a dispute with, or grievance against another in Lochac shall first attempt to settle the matter as follows:

i. First Stage

The person shall hold a direct and private discussion with the other and attempt to come to a resolution.

ii. Second Stage

If the matter cannot be resolved, the person shall bring the matter to the attention of the most appropriate local officer, or the Local Seneschal if there is no appropriate local officer. If the dispute is with someone outside the local area, the dispute will be brought to the Kingdom officer. If the grievance is against a landed Baron or Baroness, the dispute will be brought directly to the Crown. The relevant officer should then attempt to arbitrate a resolution.

iii. Third Stage

If the dispute cannot be settled at a local level, it should be brought to the attention of the most appropriate Kingdom Officer. The relevant officer should then attempt to arbitrate a resolution.

iv. Serious Disputes

If the dispute is of such magnitude that all steps above have failed and a formal complaint is necessary, copies of such complaints shall be sent to the person being complained against, the local Seneschal, the Seneschal, and the Crown via the Seneschal. Complaints against any officer shall be directed to the officer's superior in addition to the above.

In matters concerning the Marshallate the Crown may convene a Quarter Court to judge a matter being disputed. The Quarter Courts rulings are binding in their result and not subject to appeal within the Kingdom. The Quarter Court is composed of the Crown, Earl Marshal and a member of the Chivalry.

v. at all stages of any grievance both parties must be given the opportunity to declare their views and be given equal hearing

Using Grievance Procedure

Grievance procedure is a useful guideline even when there are no serious issues involved. Remember the following steps:

- Approach the person that you have a problem with directly, face to face or, given the distance

issues, at least in private e-mail or via the phone. State what your problem is, remembering all of the "play the ball" issues. Remember that the person may just have a different viewpoint to you, and be prepared to accept that.

- Remember that grievance procedure constrains us to take a problem to the person directly. It's always acceptable to do that, even if you feel a little uncomfortable in doing so. It's never acceptable to discuss the issue behind a person's back, attack them in a public forum or mailing list, or try to make a big public issue out of something that is just a person to person thing. It's also never acceptable to go over a person's head to their superior officer (if they have one) or the Crown, unless you have attempted to resolve it person to person first. If you do not go to the person directly, then you have just broken kingdom law!
- Give some idea of what you think the person should do, either at that time or some point in future, to re-dress the issue. This is important – don't just say “you did something bad”, but rather extend that to “you did something bad and I think you should apologise to that person over there”. If your grievance is against an officer in the performance of their duties in the office, perhaps you can suggest that they seek assistance, offer assistance, or suggest methods for them to improve whatever it is they are doing wrong.
- If you are approached about a grievance, don't take it too personally. Remember that the other person may just have a different viewpoint to you, and be prepared to accept that. Try to think about things from their point of view, or from the point of view of a neutral third party at the very least. If you have done something bad, then be prepared to stand up and apologise for it, no matter how small you consider the issue to be. Remember that one man's meat is another man's poison -- what might seem like a small issue to you may be a major issue to the other person.

Interpretation of Kingdom Law

Note that the wording of Kingdom Law in this area is fairly clear.

Paragraph i of that section states "... shall hold a direct and private discussion". Note the use of the word "**shall**". It doesn't say "might do" or "it would be a nice idea" or "in an ideal situation" or "perhaps". It says "shall".

If you are conducting yourself in a grievance matter, and you have elected not to follow the steps outlined in Kingdom Law, then you are breaking the Law of the Kingdom, very simple. Thus, no matter how bad the action or person that you have a grievance against seems, you could be opening yourself up to sanctions as bad as or worse than any that they receive by not following correct grievance procedure.

You could in fact be making yourself the target of a grievance procedure action by anyone, from the person that you are making a complaint against, or from a group or Kingdom seneschal, or even from Their Majesties. It's a bad idea to make yourself the target of a grievance from the Crown.

Guidelines for Seneschals

Personal Disputes

The SCA is full of personal disputes. One person is rude to another, performs some activity that others disagree with, etc.

All personal disputes should be handled on a personal level where possible.

If personal disputes are brought to your attention as seneschal, treat them as such. Offer to mediate, or appoint a mediator between the aggrieved parties (usually both parties will consider themselves to have been wronged!), and see what can be sorted out.

Do not make a determination at a local level that someone is “wrong”, or else you will be drawn

into the next type of grievance yourself!

Party Politics

The SCA is full of party politics as well.

Essentially, party politics are a multi-person version of a personal dispute that covers many individuals and several different types of grievance. The usual form of party politics involves:

- One group of people want to be more historically accurate. Others want to have fun and wear track suit pants and sneakers.
- One group of people all went to school / university / played role playing games together. Everyone else hates them and feels that they are a clique.
- One group of people stewards most of the events. The other group is not allowed to get a look in (or feels that way).
- One group of people turns up to A&S classes and dance practice together regularly. The other group of people show up every Wednesday for fighter practice. Each group has no idea about what the other group does, who they are, or why they are in the SCA. The groups are deeply suspicious of each other.
- A prominent peer has a small household of friends that gather at his or her place every Saturday night to fight / have dinner / chat / play video games / drink beer. Everyone else in the group is suspicious of them and is sure they are planning a take over of the group.

There is only one way to solve party political problems, and that is to make sure that both (or all) sides are as equally represented as possible within the activities of the group. For example:

- Ensure that office positions are divided as equally as possible.
- Ensure that all groups have the opportunity to steward events, in a style that they prefer. If one group wants to be historically accurate, allow them to do so, and discourage the wearing of jeans and sneakers to that specific event. Note that the laws of the SCA says you must allow any attempt at pre-17th C clothing at an event, but you can encourage different standards on an event by event basis. For example, an event flyer might say “welcome to our event, accurate 14th C garb is encouraged and all food will be documented against Platina”, or it might say “we are having a leg wrestling contest and a large dead animal will be carved up and devoured”.
- Encourage communication between both sides of a divide. People are suspicious of each other because of ignorance, in nearly all cases.
- Be prepared to pull people into line when they act to encourage divisions in the group, or threaten the harmony of the group.

Grievance against an Officer

A grievance may take the form of a statement that an officer, event steward, or someone acting in that capacity has not performed their task adequately. Be objective on these, and also try to err on the side of being tough.

There are procedures within the SCA to suspend or remove an officer. An officer may be suspended for up to 90 days by a superior, or may be replaced.

Consider using suspensions as a warning. It is perfectly acceptable to suspend an officer for a short period of time, perhaps 14 or 30 days, while an investigation into the activity that caused the grievance is conducted. If an officer has been found to be wanting in their tasks but generally capable, issue a written warning but perhaps no suspension. If an officer has been consistently lacking in effectiveness, issue a suspension for perhaps 30 days with a warning that further problems will be met with removal from office.

It is never appropriate to remove someone from office without warning, except in circumstances that indicate that the group is in danger if that officer was allowed to continue, or in other circumstances as allowed by Kingdom Law (eg: complete failure to report).

It is never appropriate to suspend or remove an officer if you are not in that officer's direct chain of command. A Baron may not suspend the group marshal, for example, without the involvement of the Kingdom marshal.

Real World Grievances

The SCA is a game. It is a bunch of people that get together on the weekends, dress funny, and play medieval stuff. It is not a police force or a jury.

If there is a real world criminal activity being conducted in the SCA, drop it. It is not for the SCA to handle such crimes as rape, assault, burglary, illicit drugs, etc. Let the police handle it.

Some guidelines:

- Encourage the complainant to inform the police about the complaint, and co-operate entirely with any investigations.
- Offer whatever assistance you can to the authorities, including providing any evidence that you have or are requested to obtain.

During the Investigation

In Australia (and most other countries), you are innocent of a crime until proven guilty in a court of law. The police may elect to detain a suspected criminal in custody during or until trial, however in all cases the person is exactly that, a "suspected criminal". No action in the SCA can be taken against them until the trial is complete.

After the Investigation

If a criminal investigation, or a court of law, determines that a person is innocent of a crime, then they are exactly that – innocent. They didn't do it, and the game goes on as if they did not do it.

If a criminal investigation or a court of law concludes that a person is guilty, then they may be fined or sentenced to prison.

At this point the SCA may take action to prevent such a person from continuing their presence in the SCA. Opinions vary widely on this, but action in the SCA may continue depending on the severity of the crime. Banishment is, in some cases, appropriate, and in some cases not.

Avoiding a Grievance

If you have a problem with something that someone else does or says, then please comment on the action rather than the person involved. It is always acceptable to say to someone "I disagree with X that you said, because my opinion is Y, and thus Z arises". It is never acceptable to say "I disagree with X that you said because you are an idiot".

Remember that this is a game. It's supposed to be fun. We get to dress up in funny clothes and play at being courteous and chivalrous to each other. It stops being a fun game when people try to start treating it like real life.