

Model Policy
Preventing bullying and harassment in the
Diocese in Europe

Statement of commitment

1. The Church is commanded by God (Matthew 7:12) and required by law to foster relationships of the utmost integrity, truthfulness and trustworthiness. Abuse of authority, harassment, sexual harassment, bullying and retaliation will not be tolerated in the Diocese. All complaints of bullying, harassment, sexual harassment, abuse of authority and retaliation will be taken seriously, treated with absolute confidentiality and fully investigated.

+ Robert Gibraltar in Europe
21 November 2018

Signed and dated by the Diocesan Bishop

2. Definitions

2.1 - Bullying

Bullying is the use of force, threat, or coercion to abuse, intimidate or aggressively dominate others. The behaviour is often repeated and habitual. It entails a perception by the bully or by others of an imbalance of social or physical power. It may take the form of harassment or threat, physical assault or coercion, and such acts may be directed repeatedly towards the target.

2.2 - Harassment

Means any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another. Harassment also includes - but is not limited to - words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle or cause

personal humiliation or embarrassment to another; or that cause an intimidating, hostile or offensive work environment. It includes harassment based on any grounds such as race, colour, ethnic origin, physical attributes, gender, sexuality or any other perceived difference. It can include a one-off incident or a series of incidents. Harassment may be deliberate, unsolicited and coercive and may also occur outside the church premises or outside working hours or worship hours.

2.3 - Sexual Harassment

Relates to any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another. Sexual harassment may occur when it is made a condition of employment or creates an intimidating, hostile or offensive environment. It can include a one-off incident or a series of incidents. Sexual harassment may be deliberate, unsolicited and coercive. Both male and female colleagues of church members can either be the victim or offender. Sexual harassment may also occur outside the church premises or outside working or worship hours.

2.4 - Abuse of Authority

Refers to the improper use of a position of influence, power or authority by an individual against another member of clergy, laity or group of members of a church congregation or other vulnerable individuals with whom one is in contact with by virtue of their role in the Church. Abuse of authority may also include misuse of power that creates a hostile or offensive work environment, which includes - but is not limited to - the use of intimidation, threats, blackmail or coercion.

2.5 - Retaliation

Refers to threats or acts of retribution against an individual who raises concerns, makes claims or assists in providing information about harassment, sexual harassment, or abuse of authority.

3. Interpretation and application

3.1 - Any behaviour that could potentially undermine someone's dignity and respect should be regarded as unacceptable. Any such behaviours should be challenged by those in appointed or elected office before the situation escalates and leads to significant difficulties for all concerned.

3.2 - In establishing the links between 'unacceptable behaviour', 'bullying' and 'harassment' as well as drawing together the common themes and issues the following broader definition may be helpful:

Any behaviour, that may also involve a direct abuse of power which an individual or group knows, or ought reasonably to know, could have the potential effect of offending, humiliating, intimidating or isolating an individual or group should be regarded as unacceptable in the church environment.

'Unacceptable behaviour' changes its label to 'bullying' or 'harassing behaviour' when it could cause actual harm or distress to the target(s), normally but not exclusively, after a series of incidents over a prolonged period of time.

Lack of intent does not diminish, excuse or negate the impact on the target or the distress caused. The degree of intent is only relevant in terms of how the behaviour should be challenged and the issues subsequently resolved.

3 - Bullying is most easily identified when it is continuous, frequent, repetitive and part of an overall pattern. However, some abuse is serious enough to be recognised even if the behaviour occurred only once and is therefore not defined as bullying.

4. Recognising bullying and harassment.

4.1 - Bullying may manifest itself in a variety of different ways. It is usually persistent, and often unpredictable, and can amount to severe psychological intimidation. It is insidious, and undermines the ability and confidence of the person suffering from it. It can lead to fear, isolation, demotivation and reduced output, poor concentration, symptoms of stress,

a noticeable level of sickness absence or stubborn attendance when obviously unwell, psychological, emotional and physical harm.

4.2 - Examples of bullying behaviour, this list is not exhaustive but gives a clear indication of the sorts of actions that constitute bullying

Spreading malicious rumours

Unfair treatment

Intentionally denying someone training or promotion

Offensive, intimidating, malicious or insulting behaviour

An abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient

Ridiculing a person

Shouting or screaming at a person

Setting someone up to fail, e.g. withholding necessary information or deliberate work overload

Unwarranted or invalid criticism and criticism which lacks the necessary constructive support to help the recipient improve their performance

Persistently 'singling out' a person without good reason or deliberately excluding, isolating or ignoring an individual

Use of e-mails (other than those passing on constructive professional comments) to reprimand, insult or otherwise inform someone of their apparent failing, either to the individual or to third parties

Failure to recognize the signs of overwork and extreme stress

Putting someone's health physically, emotionally or psychologically at risk by making them upset, frightened and/or ridiculed

4.3 - On the other hand it is important to distinguish between bullying, and behaviour that is reasonable in a particular context. For example there may be occasions where shortcomings in performance are being addressed and more incisive behaviour is interpreted as bullying simply because the recipient is unused to being challenged or asked to account for their actions.

4.4 - Harassment, in general terms, is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, gender, sexuality, race, disability, religious belief (including theology or churchmanship), nationality or any personal characteristic of the individual, and may be persistent or an isolated incident. The important point is that the actions or comments are viewed as demeaning and unacceptable to the recipient. Behaviour amounting to harassment may include:

Insults, name-calling and offensive language and gestures

Inappropriate jokes

Inappropriate or unnecessary physical contact

Physical assault or threats of physical assault

Intimidating, coercive or threatening actions and behaviour

Unwelcome sexual advances

Isolation, non-cooperation or deliberate exclusion

Inappropriate comments about a person's appearance

Intrusive questions or comments about a person's private life and malicious gossip

Offensive images and literature

Pestering, spying or stalking

4.5 - On the whole it is safest to take the view that if a person complains that they are being bullied or harassed, then they have a grievance, which should be dealt with regardless of whether or not their complaint accords with a standard definition.

4.6 - The Archdeacons will be responsible for encouraging and monitoring the implementation of the policy and reporting on its effectiveness. The policy will be reviewed every two years.

5. Standards of behaviour

5.1 - Those with pastoral responsibilities in this Diocese, the clergy, the area deans, the archdeacons, the diocesan directors of ordinands and ministerial development, the suffragan bishop and the diocesan bishop recognise the importance of setting a good example. Whilst acknowledging that ministry has a leadership role their primary function is to teach, admonish (reprove gently but earnestly) and build the people up in faith. Overall they should seek to develop a culture that is consultative in style where all are consulted and problems discussed. They undertake to participate in training which may be provided in support of this policy.

5.2 - The laity of this diocese recognise the importance of setting a good example as it is possible too for laity to be perceived as harassing and bullying both each other and clergy. Lay members of the Church should recognise the importance of setting a good example, measuring behaviour against Christian values, beliefs and standards in the simple question 'how Christ like are we?' Lay officers undertake to participate in training which will be provided in support of this policy.

6. Communication & training

6.1 - The policy will be put on the Diocesan Website and suitable resources to facilitate discussion and promote understanding will be made available for use by Church Councils and other groups.

6.2 - Suitable training for clergy and laity will be integrated into Level 2 Safeguarding Training and offered, for example, at archdeaconry and deanery synods.

7. Counselling and dispute resolution

7.1 – Counselling will form part of the training to be made available.

7.2 - If you are experiencing bullying or harassment you should not suffer in silence or feel that you are to blame in some way for inviting bullying behaviour.

7.3 - Actions you can take yourself

- a. Keep a factual log of all incidents of bullying – dates, times, nature of incident, details of accusations, criticisms, emails and other correspondence. This may be needed as evidence should harassment, victimisation or bullying continue or subsequently recur.
- b. If you are aware that others have witnessed an alleged bullying incident, it may be helpful to approach them in order to ask them to confirm what has happened. This should always be done with a view to established facts and never to encourage gossip or speculation, which are unhelpful. Avoid situations where you are alone with the bully. Find out if you are the only person being bullied or whether other people are also affected now, or have been in the past. Talk to colleagues and see if they will support you.
- c. If the alleged harassment or bullying relates to your official duties or role, clarify your role description so that you can check whether the responsibilities you are given match it. It is important, for example, to ensure that any duties or tasks you have been given are not unreasonable.

7.4 - Some lines of informal action

- a. It may be possible for the complaint to be resolved quickly by explaining directly to the harasser or bully the effect their behaviour is having, and that you want it to stop. By trying the informal route you may be able to get the harasser or bully to stop their behaviour and so prevent the matter becoming public, or of escalating and making your situation more difficult.
- b. It is however inadvisable for a target to confront a bully alone without support. Consult a colleague, an area dean or archdeacon, whether to confront the alleged harasser, alone or with their support.
- c. Every effort should be made to use informal means to stop the offensive behaviour before formal procedures are invoked. But it should also be made clear that if the behaviour continues you will make a formal complaint. This may be enough to sort things out, particularly if the person(s) involved was/were unaware that their behaviour was causing offence.

d. Whenever possible, any matter of bullying or harassment should be notified, in confidence, to your area dean or archdeacon. Once an outcome has been agreed between the parties, they may invite someone to monitor the situation as appropriate.

e. If the area dean or archdeacon decides the matter is sufficiently serious or constitutes gross misconduct, they will make a file note of action taken and with your permission, institute an investigation under the formal procedures.

8. Formal action and fair procedures

8.1 - Formal procedures are not dependent on you having to take personal action to ask the bully to stop their behaviour. It is recognised that by its very nature bullying is something that happens over a prolonged period of time and the longer it goes on the more difficult it is to take personal action to confront the behaviour.

8.2 - When both the perpetrator and the target is a clergy person complaints of bullying or harassment may, with the target's consent, be brought under the Grievance Procedure for Licensed Ministers. It has been developed by the church to deal with grievances of various kinds between ministers. When the perpetrator is a clergy person, it may be more appropriate for the target, or an archdeacon with the target's consent, to make a complaint under the Clergy Discipline Measure 2003

If the perpetrator is a Reader or licensed lay minister or licensed lay worker holding the Bishop's licence, and if an informal approach fails, it may be appropriate to use the processes in Canons E6 and E8.

8.3 - If the target of bullying or harassment is a clergy person and the perpetrator is a lay person, it may be appropriate for the clergy person to refer the matter to the Diocesan Safeguarding Team. The Diocesan Safeguarding Team, particularly the Diocesan Safeguarding Manager, may take action directly. Such action will normally include;

a. Making it clear to the person harassing you that their behaviour is inappropriate and explain the impact of their actions on you.

b. Invite a colleague or a friend or an area dean or archdeacon to intervene to support you.

The Diocesan Safeguarding Team may decide to initiate a formal process of investigation in which all involved are asked to participate.

9. Confidentiality

It is diocesan policy that these matters are to be treated with absolute confidentiality and that no action will be taken without the willing consent of the person who feels he or she has been a target.

10. False accusation

False accusations are a serious matter. The behaviour of anyone who is found to have made an unfounded, deliberately malicious complaint or allegation will be regarded with the utmost seriousness and where possible formal action taken. In the case of a clergy person this may be a complaint under the Clergy Discipline Measure 2003. A member of either the clergy or laity could be subject to an action for defamation if they have made false accusations against someone else.