



# Bullying & Harassment Policy

## All Saints' Church, Walsoken

Please refer to Document S&S\_Doc\_001 for all Safeguarding and Social requirements.

### Specific Policy

This Safeguarding & Social (S&S) sub-policy controls Bullying and Harassment at church.

The Church is required to foster relationships of the utmost integrity, truthfulness and trustworthiness. Abuse, harassment and bullying will not be tolerated in our Church. All complaints of abuse, harassment and bullying will be taken seriously and thoroughly investigated. The members of our PCC are committed to striving to contribute to a culture of mutual respect where individuals feel respected and safe and treat one another with dignity. PCC members recognise the importance of setting a good example in this work and undertake to participate in training in support of this policy.

#### What is Bullying and Harassment?

Any behaviour that could potentially undermine someone's dignity and respect should be regarded as unacceptable. If it is not challenged, it is likely to escalate and lead to significant difficulties for all concerned.

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, always involving a misuse of power, which an individual or group knows, or ought reasonably to know, could have the potential effect of humiliating, intimidating or isolating an individual or group should be regarded as unacceptable. 'Unacceptable behaviour' changes its label to 'bullying' or 'harassing behaviour' when it causes actual harm or distress to the target(s), normally but not exclusively, after a series of incidents over a prolonged period. 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".*

#### Harassment

The legal definition of harassment as set out in discrimination legislation and as applied to age, disability, gender reassignment, race, religion or belief, sex and sexual orientation (together, the "Protected Characteristics"), is: 'unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment'. A single incident can amount to harassment. Additionally, the Protection from Harassment Act 1997 makes it illegal for someone to pursue a course of conduct which amounts to harassment.

#### Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. It is most easily identified when it is continuous, frequent, repetitive and part of an overall pattern. However, some behaviour is serious enough to be recognised as bullying even if the behaviour occurred only once.

### Reference Documents

Protection from Harassment Act 1997.

Promoting a Safer Church; House of Bishops policy statement (2017).

Clergy Discipline Measure 2003

Equality Act 2010.

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### Procedure

#### Recognising Bullying and Harassment

- 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.
- 2) Harassment, in general terms, is unwanted conduct affecting the dignity of individuals. It may be related to one or more of the Protected Characteristics (including theology or church tradition), or any personal characteristic of the individual, and may be persistent or an isolated incident. Differences of gender or ethnic background, for example, may mean that what is said or done is not understood or heard as it was intended. The important point is that the actions or comments are viewed as demeaning and unacceptable by the recipient.
- 3) Bullying and harassment may take place in churches and houses used for church meetings. A list of examples of bullying and harassing behaviour is provided at Appendix 1.
- 4) 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.
- 5) In deciding whether conduct constitutes bullying or harassment, the following must be considered:
  - a. The perception of the individual making the allegation.
  - b. The other circumstances of the case.
  - c. Whether it is reasonable for the conduct to have that effect.
- 6) Any person making an allegation of bullying or harassment must describe the behaviour complained of, and the occasion(s) when it occurred for it to be considered and investigated. However, deliberately malicious complaints will be regarded very seriously and may lead to civil action.

#### Harassment Advice

If you believe you are being harassed at our church contact the priest in charge. They are available to offer advice and as required in the context of a confidential relationship. They are also able to oversee the process for complaints and, if suitably trained, to negotiate or mediate between the parties concerned.

#### Dealing with Allegations of Bullying or Harassment

Every complaint of bullying or harassment will be taken seriously and investigated appropriately. It may be very difficult for someone who is a target to make a complaint.

The scope of this policy extends to clergy and lay people including LLMs and Churchwardens. The procedure to be followed in the event of allegations should be that applicable to the alleged perpetrator. The procedure to be followed is set out in Appendix 2.

**Note:** This policy does not apply to situations involving children or vulnerable adults; the Policy document, "Promoting a Safer Church; House of Bishops policy statement (2017)" should be used where children or vulnerable adults complain of bullying or harassment.

At any stage, the Diocesan Safeguarding Team must be consulted if there is any uncertainty as to whether the allegation should be raised as a Safeguarding concern within the definitions set out in the House of Bishops practice guidance.

Where an allegation of bullying or harassment is made directly to the Diocesan Safeguarding Advisor that does not, in their professional opinion, meet the threshold set out in the House of Bishops practice guidance, the adviser may refer the complainant for support from the Incumbent.

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### First Informal Steps

If anybody considers that they are a target of bullying or harassment, they should speak to the Incumbent of the Benefice or Rural Dean (during a vacancy). If the Incumbent is the alleged perpetrator or complainant, then they should speak directly to the Rural Dean. The Incumbent or Rural Dean will ensure that appropriate pastoral care is offered to all parties. It is important that the role of pastoral care and the role of investigation are carried out by two different people. It is helpful to aim to speak to the Incumbent as soon as possible after the incident concerned. It is, however, recognised that complaints of this nature may relate to cumulative actions taking place over a period. The complainant may also contact any Ely Diocesan Advisers.

- A) The Incumbent should pursue the informal process and, if appropriate, speak to the alleged perpetrator to seek an informal resolution. It is the Incumbent's responsibility wherever possible to take speedy action to stop harassment and it is important that it is made clear to the alleged perpetrator that such behaviour is unacceptable and will not be tolerated. Silence or inaction can be seen as collusion and endorsement of such behaviour. If the Incumbent is the complainant or alleged perpetrator then the Rural Dean will investigate.
- B) Those conducting an informal review of the claim of harassment should consider all the circumstances before reaching a conclusion, and particularly the perception of the complainant, as harassment is often felt differently by different people. Having gathered all the evidence those investigating should ask themselves "could what has taken place be reasonably considered to have caused offence?" In some cases, it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome, and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the complainant will choose to do this themselves, or they may need support.
- C) It is recommended that electronic communication such as email should only be used, if at all, for administrative purposes such as setting up meetings, and not for discussion of any allegations made.

Incumbents should balance the importance of a swift response to allegations of bullying and harassment, with the need to spend appropriate time investigating and reflecting on the issues.

Incumbents are strongly encouraged to draw upon the advice and support offered by any Ely Diocesan Harassment Advisor who have been trained for this work and appointed to it by the bishops. Initial complaints should be made in writing, with as full details as possible, including the name and contact details of the victim/target. However, it is recognised that some complainants may be reluctant to write or may need assistance with formulating their concerns.

### Formal Procedures

If an informal approach does not achieve satisfactory results, or the nature of the incident(s) prompts the person who feels harassed to take a more formal approach, a complaint should be made to the Archdeacon. Anyone bringing an issue forward may be accompanied by a friend or colleague if they so wish.

### Confidentiality

These matters are to be treated as confidential unless safeguarding issues arise in which case appropriate action in line with other diocesan policies must be taken. Persons affected by bullying and harassment should be offered appropriate support, and action taken only with their consent.

### Procedures

When both the alleged perpetrator and the complainant are licensed or ordained ministers holding office under Common Tenure, formal complaints of bullying or harassment may, with the complainant's consent, be brought under the Clergy Discipline Measure 2003.

When the alleged perpetrator is a lay person, and the complainant is either ordained or lay, complaints of bullying or harassment may, with the complainant's consent, be dealt with in one of several ways according to the circumstances. This may include a formal, personal letter from the bishop to the alleged perpetrator, setting out the standards agreed under this policy.

After the investigation and action are concluded, the Incumbent or another nominated suitable person should monitor the situation and ensure that appropriate continuing support is offered to the parties involved.

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### Forms

None

### Diagrams

None

### Appendices

#### Appendix 1. Examples of Bullying and Harassing Behaviour

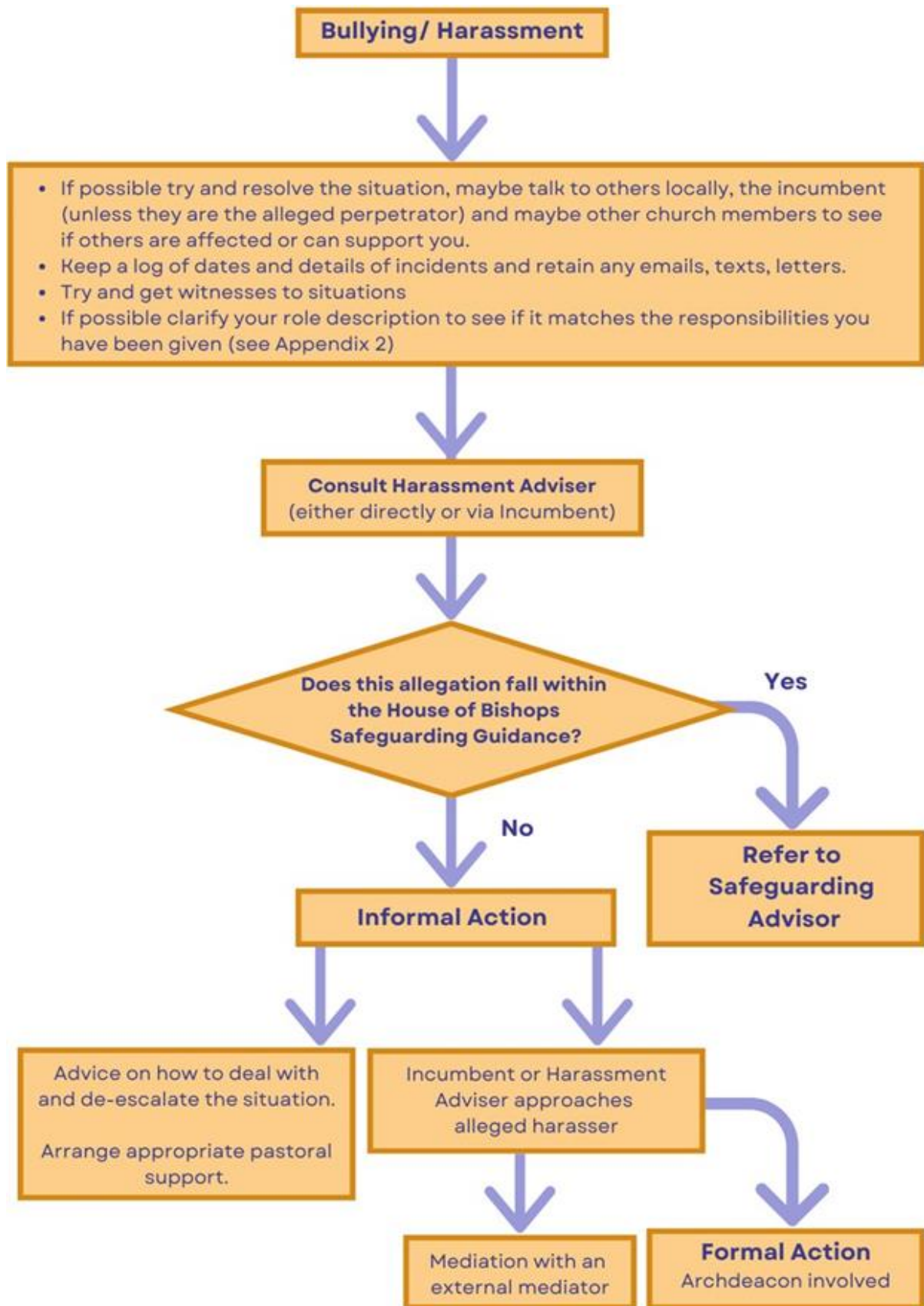
This list of behaviours is not exhaustive but gives a clear indication of the sorts of actions that constitute bullying or harassment:

- 1) Removing areas of responsibility without discussion or notice.
- 2) Isolating someone or deliberately ignoring or excluding them from activities.
- 3) Consistently attacking someone's professional or personal standing.
- 4) Setting out to make someone appear incompetent.
- 5) Persistently picking on someone in front of others.
- 6) Deliberate sabotage of work or actions.
- 7) Deliberately withholding information or providing incorrect information.
- 8) Displays of offensive material.
- 9) Sexual harassment.
- 10) Use of e-mails, either to individuals or to third parties, to reprimand, insult or otherwise inform someone of their apparent failings.
- 11) Repeatedly shouting or swearing in public or in private.
- 12) Spreading malicious rumours to third parties.
- 13) Public humiliation by constant innuendo, belittling and 'putting down'.
- 14) Personal insults and name-calling.
- 15) Aggressive gestures, verbal threats and intimidation.
- 16) Persistent threats about security.
- 17) Making false accusations.
- 18) Aggressive bodily posture or physical contact.
- 19) Talking/shouting directly into someone's face.
- 20) Direct physical intimidation, violence or assault.
- 21) The most serious incidents might result in:
  - a. creating an unsafe environment.
  - b. ignoring signs of overwork and extreme stress.
  - c. putting someone's health physically, emotionally or psychologically at risk by making them upset, frightened and/or ridiculed.

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## Appendix 2. The Bullying & Harassment Procedure to be Followed





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### Appendix 3. If you are the target of Bullying or Harassment

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.

#### **Actions you can Take Yourself**

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.

If others have witnessed bullying incidents, ask if they will support you.

The bishops have appointed Harassment Advisers, who have been specially trained to be available to support and accompany you and you are strongly advised to use this support. Harassment Advisers guarantee appropriate confidentiality and will meet with you in private to talk through your complaint. They will advise you on procedures for dealing with claims of bullying and harassment and help you to clarify the impact of the behaviour you are experiencing so that you can decide what you want to do about it

### Appendix 5. Notes Concerning Informal Action

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.

It is rarely advisable for an individual to confront a bully alone, without professional support. Consult a Harassment Adviser or your Incumbent and discuss with them whether to confront the alleged harasser, alone or with their support or whether you would like them to talk to the alleged harasser on your behalf.

Every effort should be made to use informal means, including considering alternative dispute resolution such as mediation or restorative justice, to stop the offensive behaviour before formal procedures are invoked. It is worth discussing whether mediation is an appropriate response in the situation before proceeding further. You should also make it 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.

Whenever possible, any complaint of bullying or harassment should be notified, in confidence, to your Incumbent or Archdeacon. Once the situation has been concluded, the Incumbent will monitor the situation as appropriate.

The transition to a formal process will involve consulting the Archdeacon. If the Archdeacon decides the matter is sufficiently serious, they will make a file note of action taken and with your permission, institute an investigation under the formal procedures. Harassment Advisers will be able to contribute to this decision-making process.

### Appendix 6. If you have been Accused of Bullying or Harassment

Bullying and harassment are matters that must be taken seriously. An accusation does not signify a judgement that you are guilty, and there will need to be a discussion with you to establish the true nature of the situation. It is possible that there might be a problem that has arisen because you have not realised the effect of your actions and you may not have intended the effects complained of.

The perception of the person complaining of bullying or harassment is, however, an important factor in determining whether harassment has taken place – simply to deny there is a problem, or that the problem lies with the person complaining won't normally be sufficient.

You are encouraged to contact your Incumbent or Rural Dean if you are accused of harassment. The aim of the person you contact will be to facilitate discussion with a view to resolving the problem at source if possible.

In many cases the problem will be resolved informally through discussion. You will be asked to reflect on your behaviour and the possibility that you might be at fault, whether consciously or not. Mediation with an external mediator might be appropriate.

If an informal process is unsuccessful, consideration will be given to moving to a more formal process involving the Archdeacon. The Diocese must ensure that any formal procedures are fairly and properly followed. Details relating to the circumstances that gave rise to the complaint, the evidence of witnesses and the nature of the relationship between the person complaining and yourself will all be considered.

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Throughout any informal or formal procedures, the principal objective is that of identifying the underlying issues and eliminating the cause of offence as quickly as possible and with minimal recrimination.

As a result of informal or formal action you may be offered help to recognise, understand and modify your behaviour; you are strongly advised to accept this help. Under certain circumstances a refusal to accept help could be a disciplinary issue

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