



Harassment and Bullying Policy

1. Introduction

The Diocese of London has adopted this policy as its framework within which to address issues of bullying and harassment at every level within the Diocese, although the contexts within which clergy (as Office Holders), clergy (whether employed under contract with the LDF or by an outside institution) or laity (as employed or as volunteers) will mean that the policy will operate within a variety of legal contexts.

- In relation to employees of the London Diocesan Fund, the policy operates as set out in the anti-harassment and anti-bullying policy which forms part of the [Staff Handbook](#)
- Clergy working under Common Tenure may access this policy within the framework of the legislation:
<http://www.common tenure.org/>
- Clergy with Freehold Tenure will be subject, mutatis mutandis, to this policy as though the Freeholder was subject to Common Tenure.
- In relation to laity, whether paid or volunteers, the policy will be applied as below.

2. Foreword

“The Church is required by God to foster relationships of the utmost integrity, truthfulness, and trustworthiness. Abuse, harassment, and bullying will not be tolerated within the Church of England. All complaints of abuse, harassment, and bullying are to be taken seriously and thoroughly investigated.” - *House of Bishops 2001*

We are all less than perfect and, in all human communities, occasions can sometimes arise where people, for a variety of reasons and sometimes unknowingly, use behaviour that is unacceptable. The experience is that such behaviour is rare within the Church. Recognising that issues can sometimes arise does not undermine or debase the value of the community; it simply acknowledges our human frailty and is a first step in tackling and reducing problems.

Formal procedures do exist within the Church for dealing with grievances and complaints about behaviour. The policy supplements those procedures and is based on the national guidance produced by the Archbishops’ Council of the Church of England in 2008. That guidance is formally appended to, and forms part of, our overall policy, and can be referenced at:

<http://www.churchofengland.org/media/1167938/dignity%20at%20work%20booklet.pdf>

Where there are concerns that the behaviour in question relates to a child or vulnerable adult, then the concerns must be directed, within 24 hours, to the Diocesan Safeguarding Team on 020 7932 1224 or safeguarding@london.anglican.org. Safeguarding will ensure that the concerns are dealt with in line with House of Bishops' Practice Guidance.

3. Statement of commitment

The Church is required by God to foster relationships of the utmost integrity, truthfulness, and trustworthiness. Abuse, harassment, and bullying – however rare - will not be tolerated in the Diocese of London. All complaints of abuse, harassment and bullying will be taken seriously and thoroughly investigated.

4. Standards of behaviour

Those with pastoral responsibilities for the clergy in this diocese: Area Deans, Archdeacons, Area Bishops, and the Diocesan Bishop commit to do all in their power to build a culture of mutual respect where individuals, whether lay or ordained, feel respected and safe, and treat one another with dignity. They recognise the importance of setting a good example in this work and undertake to participate with training in support of this policy.

The Diocesan Bishop's Council has committed itself to doing all in its power to contribute to a culture of mutual respect where individuals, whether lay or ordained, feel respected and safe, and treat one another with dignity. Its members recognise the importance of setting a good example in this work and undertake to participate in training in support of this policy.

5. 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 offending, 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 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." - *Fergus Roseburgh, Senior Staff Representative, Unite the Union, The Children's Society. March 2007*

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.

6. How can bullying and harassment be recognised?

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.

Harassment, in general terms, is unwanted conduct affecting a person's dignity. This may take place in churches, offices, church halls, and houses used for church meetings. It may be related to age, sex, race, disability, religious belief (including theology or church tradition), nationality 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 to the recipient.

A list of examples of bullying and harassing behaviour is provided at Appendix 1.

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.

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.

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.

7. Dealing with allegations of harassment

Informal procedures

If either a clergy or lay person considers that they are a target of bullying or harassment, they should speak to their Incumbent. (If the Incumbent is the alleged perpetrator, then the Area Dean should be contacted.) It is helpful to aim to speak to this person 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 of time.

Further advice is offered in Appendix 2.

It is the duty of the incumbent to investigate the allegations and, if there is sufficient evidence to justify a complaint, to speak to the person alleged perpetrator. It is the incumbent's responsibility to take speedy action to stop harassment and it is important that it is made clear to the perpetrator that such behaviour is unacceptable and will not be tolerated. Silence or inaction can be seen as collusion and endorsement of such behaviour.

Those investigating claims 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 individual will choose to do this themselves, or they may need support.

If someone complaining about bullying or harassment considers the process followed to have been inadequate, they should next approach the Area Dean or Archdeacon.

Anyone approaching their incumbent may wish to be accompanied by a friend or colleague.

It is anticipated that those involved in the process will each seek to ensure that it is surrounded by prayer at every stage.

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 formal complaint should be made to the Archdeacon.

9. Counselling and dispute resolution

Professional counsellors, trades unions, and professional associations are other useful sources of support for individuals.

10. Procedures

When both the perpetrator and the target are clergy licensed ministers (clergy or lay) formal 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.

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

11. Data Protection (GDPR)

It is Diocesan policy that all information pertaining to a bullying and harassment matter is treated with absolute confidentiality and that no action will be taken without the willing consent of the person who feels they been a target.

Those responsible for working towards resolution of any concerns, will ensure appropriate confidentiality of records of any concerns and conversations that take place as part of that process and the rights of data subjects are maintained in line with the appropriate [Privacy Notice](#). Inappropriate access or disclosure of data constitutes a data breach and should be reported in accordance with the Dioceses' data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

Appendix 1: Examples of bullying behaviour

Bullying or intimidating behaviour may take many forms, it may take place in person or in groups, in private or in a more public arena, be verbal, written, including via social media, or by actions in other forms. This list of behaviours is not exhaustive but gives a clear indication of the sorts of actions that constitute bullying or harassment:

- removing areas of responsibility without discussion or notice
- isolating someone or deliberately ignoring or excluding them from activities
- consistently attacking someone's professional or personal standing
- setting out to make someone appear incompetent
- persistently picking on someone in front of others
- deliberate sabotage of work or actions
- deliberately withholding information or providing incorrect information.
- overloading with work/reducing deadlines without paying attention to any protest
- displays of offensive material
- use of e-mails to reprimand, insult or otherwise inform someone of their apparent failing, either to the individual or to third parties
- repeatedly shouting or swearing in public or in private
- spreading malicious rumours to third parties
- public humiliation by constant innuendo, belittling and 'putting down'
- personal insults and name-calling
- aggressive gestures, verbal threats and intimidation
- persistent threats about security
- making false accusations
- aggressive bodily posture or physical contact
- talking/shouting directly into someone's face
- direct physical intimidation, violence or assault
- misuse of social media as a platform for the above

The most serious incidents might result in:

- creating an unsafe working environment
- ignoring signs of overwork and extreme stress
- putting someone's health physically, emotionally or psychologically at risk by making them upset, frightened and/or ridiculed.

Appendix 2: I think I have been the target of bullying or harassment, what can I do?

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

1. 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.
2. Try to get witnesses to bullying incidents and 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.
3. If possible, clarify your role description is so that you can check whether the responsibilities you are given match it.
4. Consider what support and advice is available including from qualified counsellors, professional associations, trades unions and the police. The Archdeacon will be able to advise you on the names of independent people who are well versed in supporting those who have been the object of bullying or harassment.

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.

But it has been shown that it is rarely advisable for a target to confront a bully alone, without professional support. Consult a Harassment Adviser or professional mediator 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. 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.

Whenever possible, any complaint of bullying or harassment should be notified, in confidence, to your Incumbent, Area Dean or Archdeacon. Once an outcome has been agreed between the parties, the Incumbent, Area Dean or Archdeacon will monitor the situation as appropriate.

If the Incumbent, 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.

Formal action

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.

If the perpetrator is a clergy person or licensed lay worker, and if an informal approach fails, or you are unable to make an informal approach, it may be appropriate to use the Grievance Procedure for Licensed Ministers or, in the case of a clergy person, the Clergy Discipline Measure 2003.

If the perpetrator is a lay person, the Archdeacon will investigate the matter formally, and may involve the Chair of the House of Laity of the Diocesan Synod.

Appendix 3: I have been accused of bullying or harassment, what can I do?

- 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 in order 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 or not 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 Area 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.
- 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 professional relationship between the person complaining and yourself will all be taken into account.
- If you are a clergy person or a licensed lay minister accused of bullying another minister a formal complaint may be made under the Grievance Procedure for Licensed Ministers. If you are a clergy person accused of bullying other clergy or laity there will be consideration of whether the matter constitutes misconduct under the Clergy Discipline Measure 2003.
- If you are a lay person accused of bullying a minister or another member of the laity this may be dealt with in various ways depending on your position. The Archdeacon may formally investigate the complaint, and may involve the Chair of the House of Laity of the Diocesan Synod
- 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.