

Dignity at Work

**Working together to reduce
incidents of bullying and
harassment**

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Published 2008 by the Ministry Division of the Archbishops' Council

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Cover design by Visible Edge

This guidance includes material published by the Advisory, Conciliation and Arbitration Service (ACAS), UNITE the Union and the Andrea Adams Trust.

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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. Our 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. However, a complaint of bullying or harassment is a particularly sensitive matter and we have been asked to produce this additional guidance for dioceses. It offers practical advice to help prevent bullying and harassment, and to deal with any cases that occur. It also includes a model Dignity at Work Policy which dioceses can either adopt or use as the basis for developing their own

arrangements. I am particularly pleased that it includes a section on mediation and restorative justice as experience has shown how difficult it is to restore relationships once formal procedures have been invoked.

Research into the dynamics of working relationships is a developing field. This guidance is based on what is regarded as best practice now, and I hope that you will find it helpful.

+John Ripon and Leeds

Chair of the Deployment, Remuneration and Conditions of Service Committee

March 2008

Chapter 1

Why do we need to take action?

1.1 It is important to stress that in our experience instances of bullying and harassment are rare within the Church. However, we are called to create a loving community that models Christian values, and any cases of bullying and harassment are unacceptable.

1.2 If there is no effective way of dealing with unacceptable behaviour it can lead to:

- low morale, and poor relations between people;
- loss of respect for those with responsibility for oversight;
- poor stewardship of ministry resources;
- loss of confidence;
- ill health and absence;
- resignations; and
- reputational damage for the wider church, congregations and individuals.

1.3 It is in all our interests to promote a safe, healthy and fair environment in which people can serve.

Chapter 2

The legal position

2.1 The 1991 European Commission code 'Protection of Dignity of Men and Women at Work' highlights the need for organisations to implement coherent policies to prevent harassment. Both employees and officeholders can bring complaints under laws covering discrimination and harassment including those listed below.

- the Sex Discrimination Act 1975 gives protection in particular contexts against discrimination and victimisation on the grounds of sex or marital status, or because someone intends to undergo, is undergoing or has undergone gender reassignment. New legislation will extend the protection offered under the Act to cases of harassment also.
- the Race Relations Act 1976 gives protection against discrimination and victimisation on the grounds of colour or nationality. The Race Relations Act 1976 (Amendment) Regulations 2003 also give a stand alone right to protection from harassment on the grounds of race and ethnic or national origin.
- the Disability Discrimination Act 1995 gives protection against discrimination and victimisation on the grounds of physical or mental disability.
- the Employment Equality (Sexual Orientation) Regulations 2003 give protection in the employment context against discrimination and harassment on the grounds of sexual orientation.

- the Employment Equality (Religion or Belief) Regulations 2003 give protection in the employment context against discrimination and harassment on the grounds of religion or belief.
- the Employment Equality (Age) Regulations 2006 give protection in the employment context against discrimination and harassment on the grounds of age.
- the Protection from Harassment Act 1997 makes it illegal for someone to pursue a course of conduct which amounts to harassment; bullying has been successfully claimed as harassment under this Act.

2.2 The legal definition of harassment - as applied to gender, age, sexual orientation, religion or belief, and race and ethnic and national origin is: 'unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment.'

2.3 There is as yet no legal definition of bullying, it is viewed to be a form of harassment. ACAS describe workplace bullying as, 'behaving in a way that that is offensive, intimidating, malicious or insulting, with the result that the targeted person feels undermined, humiliated or injured.'

2.4 In addition to the laws described above, action may be taken under ecclesiastical law and procedures that apply to members of the Church of England (as explained in the following sub-paragraphs).

2.5 Bullying or harassment by a clerk in holy orders or a licensed lay minister may give rise to a grievance that triggers the Grievance Procedure for Licensed Ministers.

2.6 Bullying or harassment by a clerk in holy orders may constitute misconduct under section 8(1)(d) of the Clergy Discipline Measure 2003.

2.7 Bullying or harassment by a reader or licensed lay worker could be a legitimate reason for the bishop to revoke that person's licence under Canon E6 or E7. In the case of a non-licensed lay person in a position of responsibility (such as a

Sunday School teacher or organist) bullying or harassment could be grounds for taking disciplinary action under that person's contract or working agreement.

2.8 The only circumstances in which a churchwarden or PCC member can be removed from office is where, in proceedings under the Incumbents (Vacation of Benefices) Measure 1977, a tribunal has found that the conduct of that person has contributed to a breakdown of pastoral relations in the parish over a substantial period.

2.9 Canon B16 gives power to the diocesan bishop to direct that a person should not be admitted to Holy Communion if that person is in 'malicious and open contention with his neighbours, or other grave and open sin without repentance'. The power is intended primarily to protect the congregation from offence, rather than to punish the offender.

2.10 It is worth bearing in mind that seeking legal remedy can be a protracted, costly and painful process, and it is not designed to address the underlying issues. Working to develop a culture that makes it less likely that bullying will take place, and acting swiftly to nip it in the bud if it does, will help to reduce the need for legal action.

Chapter 3

How can dioceses help to prevent bullying and harassment?

Frame a formal policy

3.1 The policy need not be complex - a model is attached at Annex A.

3.2 A diocese can simply adopt the model policy as it stands, but we recommend that the policy is discussed and developed within the diocese for the following reasons.

- (a) The policy will gain additional authority and value if all clergy and laity are involved in its development.
- (b) Everyone should understand that bullying or harassment of people is intolerable.
- (c) All clergy should know to whom they can turn if they feel they have a work-related problem or have been the target of bullying.
- (d) All lay people should know to whom they can turn if they feel they have been the target of bullying by clergy, licensed lay ministers or other lay people in the church.
- (e) Those with pastoral responsibility should be trained in all aspects of the diocese's policies in this sensitive area.

3.3 Everyone should know how the policy will be consulted on, implemented, monitored and reviewed.

Set standards of behaviour

3.4 A diocesan statement about the standards of behaviour expected can make it easier for people to be fully aware of their responsibilities to others. Bear in mind that a target of bullying may themselves be provoked into not behaving well, and the bully might seek to claim that the target is the problem rather than themselves.

3.5 The behaviour of bishops and those with pastoral responsibilities for the clergy such as Rural/Area Deans and Archdeacons is as important as any formal policy. What may be intended as strong leadership can tip over into bullying behaviour. However 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.

Follow-up and monitor

3.6 When a complaint is settled, whether or not the case resulted in action against the alleged bully, monitoring should be maintained for a considerable period (at least 6 months). Serial bullies, by definition, will sooner or later reveal themselves in returning to attack later, or by finding a new target. If this happens, there should be a fast-track process that identifies it and deals with it promptly. Bullies must be made aware that there can be real consequences (such as having to move away, loss of license or status within the church community, or public disapproval) for continuing bullying behaviour. If they refuse counselling when offered, they may be asked to take other steps to indicate they are addressing their problems.

3.7 Bullies are likely to revert to type, having probably made a great effort during an investigation to placate the authorities. Bullies normally adopt a threefold strategy of defence:

- (i) Denial.
- (ii) Counterattack against the complainant.
- (iii) “Poor me”, thereby gaining sympathy and potentially avoiding the penalty of their behaviour, in effect presenting themselves as the ‘victim’ and the target as the bully.

Be aware of these strategies. It is unusual for a bully to apologise willingly, to change his/her behaviour or to attempt to redress the damage their bullying behaviour has caused.

Communicate and raise awareness

3.8 Basic information needs to be supplemented with guidance booklets and training sessions or seminars for ministers, church wardens and congregations. The diocesan clergy handbook is also a good way of communicating with ministers, and can include specific mention of the diocese's views on bullying and harassment and their consequences. The diocesan web site is another useful communication tool and can be used to communicate diocesan policy to the laity as well as the clergy. It could also provide links to other useful sites (see Annex E).

3.9 Ask chairs and secretaries to ensure that ‘preventing bullying and harassment’ is periodically on the agenda of meetings at diocesan, deanery and parochial level. The resources highlighted at the end of this guidance could be used to stimulate discussion and encourage both clergy and laity to consider ways in which bullying and harassment might be prevented. Include discussion and training about workplace bullying in ministerial training programmes wherever possible, (for example in training for team leaders and training incumbents).

3.10 Give someone within the diocese particular responsibility for championing the anti-bullying policy, co-ordinating communication and monitoring progress.

Use Harassment Advisers

3.11 Dioceses can encourage members of the clergy and laity to consider training as Harassment Advisers. A Harassment Adviser is someone who is there to help guide an individual to be empowered enough to determine how they want to take their issue forward. Although they are volunteers, Advisers must be selected carefully. They need to have good communication and people skills and be able to keep appropriate confidences.

3.12 Advisers should be given training for their role and have the full support of the diocesan bishop. They are then available to any member of the clergy or laity to offer, in confidence, advice and information as required. (A more detailed description of the role of Harassment Advisers is at Annex D.)

3.13 Trades unions and professional associations are also good sources of independent support and advice.

Offer training to all

3.14 Training can increase everyone's awareness of the damage bullying and harassment does both to the Church and to the individual. Some training providers are listed in the resources section of this guidance. An efficient way of delivering training to large numbers of people is to train one or two trainers who can then deliver courses to local groups.

3.15 All licensed clergy and sector ministers should be offered training in handling difficult people and in conflict resolution as a regular part of the continuing ministerial development programme.

Be fair, sensitive and confidential

3.16 Let ministers know that complaints of bullying and/or harassment, or information relating to such complaints, will be dealt with quickly, fairly, confidentially and sensitively. Targets of bullying are reluctant to come forward if they feel they may be

treated unsympathetically or are likely to be confronted aggressively by the person whose behaviour they are complaining about.

3.17 Bullying and harassment can often be hard to recognise, they may not be obvious to others, and may be insidious. Targets may think 'perhaps this is normal behaviour here'. They may be anxious that others will consider them weak, or not up to the task, if they find the actions of others intimidating. They may be accused of 'overreacting', and worry that they won't be believed if they do report incidents. Bullying is often wrongly interpreted as a personality clash. Targets may fear the ultimate consequences, in particular if they think the outcome will be to force them to minister/worship in a different place.

3.18 Colleagues may be reluctant to come forward as witnesses, as they too may fear the consequences for themselves. Witnesses should be treated with the same confidentiality as the complainant. Perpetrators of bullying can sometimes manipulate witnesses and people need to be aware of this. Sometimes a witness may seek protection from the bully by not supporting the target or even colluding with the bully.

3.19 Do not assume that the target wants a separation or that such a separation will be in their best interests, they might well prefer conciliation and resolution. Where possible the target should be involved in agreeing the outcome.

3.20 When the bullying behaviours are covert and passive, the major problem in making a complaint is that any one incident can seem utterly trivial. It is the constant repetition and sustained nature of the behaviours which turn an apparently trivial incident into serious abuse and therefore a serious allegation of workplace bullying.

3.21 Remember that bullying and harassment do not necessarily happen face-to-face; they may be inflicted by written communications, email or phone or conducted through third parties. Some of the most damaging behaviours include spreading malicious rumours to third parties.

3.22 One of the important things that a diocese needs to do whenever a complaint of bullying is made is to look for patterns of behaviour. Has the target been targeted before? Has the alleged bully been known to bully before? Has the particular parish, church, or organisation ever had a problem before? There are often important lessons to learn when looking for patterns of behaviour. Research has shown that bullying is often serial behaviour.

3.23 Individuals who are in receipt of unwanted behaviour can sometimes react strongly to something that would appear on the surface to be of little significance, however it pushes the individual over the 'tipping point' following a series of issues.

3.24 There may be a reluctance to come forward if a person believes that if they do so matters might move swiftly to a formal procedure. It must be absolutely clear that no action, investigation or wider discussion of the matter will take place without the target's consent and that by seeking help they will not automatically 'trigger' any procedure.

Chapter 4

How should dioceses respond to a complaint?

4.1 Every complaint should be taken seriously. Targets of bullying very rarely make a complaint lightly; for many it is an extremely difficult thing to do. People do not normally make serious accusations unless they feel seriously aggrieved.

4.2 Ensure there are procedures in place for the support of the complainant, their families and any other significant people, whilst investigations are conducted, and for a significant period afterwards. Harassment advisers, qualified counsellors, trades unions and other professional associations are all good sources of support. In some cases it will be appropriate to report the matter to the police, who will also be able to provide advice and support.

4.3 Encourage the person who believes they have been a target of bullying to consider which of the following approaches they would like to take.

Informal approaches

4.4 In some cases it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome and an informal, confidential, discussion can lead to greater understanding and an agreement that the behaviour will cease. It is rarely advisable for the target to confront the bully without professional support. The use of professional mediators or suitably trained Harassment Advisers, should be encouraged.

Formal action

4.5 Where the perpetrator is a clergy person or licensed lay minister, and an informal resolution is not possible, but only with the consent of the target, the formal steps of the Grievance Procedure for Licensed Ministers should be followed. When the perpetrator is a clergy person this would include consideration of whether the matter constitutes misconduct under the Clergy Discipline Measure 2003.

4.6 Whilst grievances arising from the behaviour of a member of the laity, who is not a licensed minister, cannot be addressed under the formal stages of the Grievance Procedure this does not mean that no action can be taken to communicate to that person that their behaviour is considered unacceptable. Collaboration with the House of Laity of the diocesan synod could be particularly helpful in outlining what might be appropriate in such circumstances. This may include agreeing some good practice guidelines for dealing with situations where a volunteer's behaviour is unacceptable.

4.7 There may be cases where somebody makes an unfounded allegation of bullying or harassment for malicious reasons, or because the person who perceives him or herself to be a target has mental health problems. Such cases should be investigated properly and dealt with fairly and objectively.

4.8 Whenever a case of bullying or harassment arises, dioceses should take the opportunity to examine policies, procedures, working relationships and training to see if they can be improved.

Mediation and restorative justice

4.9 Mediation is a way of sorting out disagreements or disputes. A neutral third person works with those in disagreement or dispute to help them reach an agreement that will sort out their problems. It is voluntary - people only take part if they want to, but to be successful participants have to want it to work.

4.10 The mediator undertakes that any information obtained in connection with the mediation process will only be disclosed to the extent that it is necessary for the purposes of providing the mediation service, unless they have obtained the express prior permission of the parties to disclose the information further or they are required to do so by a court or tribunal.

4.11 Each mediation is different. A mediator will usually start by talking separately to the people involved in the dispute to find out about the situation, how they feel about it and the effects it is having. When the time is right the mediator will bring the parties together in a joint meeting. At that meeting they will each have a chance to say exactly how they feel without being interrupted and to listen to the other person without interrupting them. The mediator will ask questions, help the parties to look at the situation realistically and help them come up with ways to improve things.

4.12 In some circumstances where both sides ask, the mediator can recommend a way forward if the parties cannot find their own solution.

4.13 The aim of mediation is to maintain the relationship between two people or groups if at all possible, and so mediation is about the future, not the past or who was right or wrong. In a mediated dispute parties are generally assumed to be on an equal level morally speaking, often with responsibilities on both sides. While this sense of shared blame may be appropriate in some harassment cases, in many it is not. In such cases restorative justice may be a more helpful model.

4.14 Restorative justice works to resolve conflict and repair harm. Like mediation it aims to maintain a relationship between the parties involved, but it encourages those who have caused harm to acknowledge the impact of what they have done and gives them an opportunity to make reparation. It offers those who have suffered the harm the opportunity to have their harm or loss acknowledged and amends made.

4.15 Conflict between people is inevitable, but where it occurs restorative justice can help to 'restore' the balance in a just and fair way. In resolving the harm done it works to prevent it

happening again. As is the case in mediation a process of restorative justice has to be voluntary for all parties and it seeks a positive outcome for all parties.

4.16 Further information about mediation services and about training in mediation and restorative justice is available from the organisations listed in the resources section of this guidance.

4.17 If mediation or restorative justice does not succeed, formal procedures can be resumed.

Annex A

Model Policy

Preventing bullying and harassment in the Diocese of X.

Statement of commitment

1. 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. All complaints of abuse, harassment and bullying will be taken seriously and thoroughly investigated.

Signed and dated by The Bishop

What is bullying and harassment?

2. 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.

3. 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 in the workplace.

‘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

4. 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.

How can bullying and harassment be recognised?

5. 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.

Examples of bullying behaviour

6. 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

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- 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

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

7. 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.

8. Harassment, in general terms, is unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, 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.

9. 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.

10. The policy will be consulted on across the diocese [*describe how consultation will take place, e.g. through PCCs, Deanery Synods, Chapter meetings, Houses of Clergy and Laity*] before being formally adopted by the [*insert here the body(ies) responsible for adopting the policy e.g. the Bishop's Council, the Diocesan Synod, the House of Clergy and the House of Laity*]. The [*insert here the named person responsible for implementing and reviewing the policy e.g. Diocesan Director of Training*] will be responsible for encouraging and monitoring the implementation of the policy and reporting on its effectiveness. The policy will be reviewed [*insert here the frequency with which the policy will be reviewed e.g. every two years*].

Standards of behaviour

Each of the three groups listed below should, agree a statement about the standards they wish to maintain and any training they will undertake to help them do this more effectively. The diocese may wish to make such training mandatory.

11. Those with pastoral responsibilities for the clergy in this diocese: rural deans, archdeacons, suffragan bishops and the diocesan bishop [*insert statement here, e.g. recognise the importance of setting a good example and that what is intended as strong leadership can sometimes tip over into bullying behaviour and acknowledge that a culture where clergy are consulted and problems discussed is less likely to encourage bullying and harassment than one where there is an authoritarian leadership style. They undertake to participate in training provided in support of this policy.*]

12. The laity of this diocese [*insert statement here, e.g. recognise the importance of setting a good example. They undertake to participate in training provided in support of this policy*].

13. The clergy of this diocese [*insert statement here, e.g. recognise the importance of setting a good example. They undertake to participate in training provided in support of this policy*].

Communication & training

14. The [*insert here the named person responsible for implementing and reviewing the policy e.g. Diocesan Director of Training*] is responsible for encouraging and monitoring the implementation of the policy. He or she will ensure that this policy is included in the diocesan clergy handbook and that suitable resources to facilitate discussion and promote understanding are available for use by PCCs, Deaneries and other groups.

15. The [*insert here the named person(s) responsible for communicating the policy e.g. Diocesan Communications Officer*] will arrange for communication and consultation on this policy in preparation for its adoption and to support future review and development.

16. The [*insert here the named person(s) responsible the provision of training e.g. Diocesan Director of Training/ CME Officers/ Adult Education Officer*] will source and facilitate suitable training for clergy, laity and those with pastoral responsibility for the clergy. He/she/they will encourage Harassment Advisers to come forward and will ensure that suitable training is available for them.

Harassment Advisers

17. This diocese is committed to the encouragement and training of Harassment Advisers. Harassment Advisers are concerned members of the clergy and laity who have volunteered, and been accepted, to undertake these duties. They have received special training for this role and have the full support of the diocesan bishop. They are available to any member of the clergy or laity to offer, in confidence, advice and information as required. They are also able to channel complaints and, if suitably trained, to negotiate or mediate between the parties concerned.

18. Advisers will not make judgements, recommendations or reports; they will listen to you in an informal atmosphere and

they will allow you to decide what action you may want to take and the support you think you may need. [*detail here what authority advisers have to put support or action in place e.g. Advisers will, with your agreement, be able to make recommendations to the Diocesan Bishop*]

19. For a list of Diocesan Harassment Advisers or for information on becoming a harassment adviser please contact: [*insert details here*]

Counselling and dispute resolution

20. Professional counsellors, trades unions, and professional associations are other useful sources of support for individuals. [*Give details of any counselling, mediation or restorative justice the diocese makes available, either via clergy or laity who are appropriately qualified or via an external provider*].

Confidentiality

21. 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.

Fair procedures

22. When both the perpetrator and the target is a clergy person or a licensed lay minister, 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

23. When the perpetrator is a layperson, 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. [*Set out any diocesan policy here*]

False accusation

24. 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.

Annex B

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

1. 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

2. 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.

3. 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.

4. If possible, clarify your role description is so that you can check whether the responsibilities you are given match it.

5. Research all the available informal and formal options open to you and what support and advice is available including from qualified counsellors, professional associations, trades unions and the police. Your diocese may have appointed Harassment Advisers, who have been specially trained to be available to support and accompany you; if so you are strongly advised to use this support. Harassment Advisers are

volunteers who are fully trained, 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.

Informal action

7. 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.

8. 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.

9. 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.

10. Whenever possible, any complaint of bullying or harassment should be notified, in confidence, to your rural or area dean or archdeacon. Once an outcome has been agreed between the parties, the rural or area dean or archdeacon will monitor the situation as appropriate.

11. If the rural or 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

12. 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.

13. 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.

14. If the perpetrator is a lay person you should find out what formal procedures have been agreed in your diocese for dealing with such complaints.

The Earlier Action is Taken the Better.

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

1. 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.
2. 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.
3. You are encouraged to contact your rural dean, archdeacon, suffragan or diocesan bishop 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.
4. Your diocese may have appointed Harassment Advisers, who have been specially trained to be available to support those involved in cases of bullying and harassment, if so you are strongly advised to use this support. Harassment Advisers are volunteers who are fully trained, guarantee appropriate confidentiality and will meet with you in private to talk through your position. They will advise you on procedures for dealing with claims of bullying and harassment, and help you to clarify

the impact your behaviour may be having, so that you can decide what you want to do about it.

5. 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.

6. 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.

7. 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.

8. 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. Find out what formal procedures your diocese has in place for dealing with such complaints.

9. 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.

10. 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.

Annex D

Role description for Harassment Advisers

In order to support our anti-bullying and harassment policy, we are looking to appoint Harassment Advisers who ministers can approach in the first instance, in confidence, if they feel they have been harassed at work.

Main duties:

- Acting as a sounding board, listening to the individual who believes they are being targeted
- Finding out all relevant information, including asking the individual to record examples of unacceptable behaviour.
- Not giving an opinion as to whether the person is being harassed, but spelling out the individual's options for example, confronting the alleged harasser or having you confront the alleged harasser with them or on their behalf.
- Putting them in touch with others who may be able to advise them, for example the area dean or archdeacon who can give further advice on formal procedures.
- Giving the individual any appropriate reading material
- Speaking to the alleged harasser in the first instance only if the individual has asked you to do so, or accompanying the individual when they speak to the alleged harasser
- Providing support to the individual if the matter is taken further, such as attending meetings that may be held as part of an investigation.

Person specification:

We are looking for people who have the following essential requirements:

- An interest in and commitment to matters of equal opportunities
- The ability to listen to individuals at all levels, who may approach them with a concern
- The ability to maintain utmost confidentiality
- The ability to remain calm and impartial
- The ability to deal with difficult situations

Advisers need to be available and accessible and able to spare some time at relatively short notice, to see people.

In addition, any of the following will be helpful but are not essential, as training can be provided:

- Knowledge of employment law, and particularly discrimination legislation
- Experience of counselling
- Record keeping
- Report writing

If you are interested in applying then please request an application form from [*insert contact details*]

Further resources

Related national policies

Promoting a Safe Church – A policy for safeguarding vulnerable adults issued by the House of Bishops in 2006 (GS Misc 837)

The Mistreatment of Adults by those Authorised by Bishop's Licence to Leadership Positions in the Church – A paper approved by the House of Bishops in July 2002 for circulation to all diocesan bishops and theological colleges and courses.

A Grievance procedure for Licensed Ministers

<http://www.cofe.anglican.org/lifeevents/ministry/workofmindiv/dracsc/grpodlm.doc>

The Code of Professional Conduct for the Clergy

<http://www.cofe.anglican.org/lifeevents/ministry/workofmindiv/dracsc/guidelines.pdf>

Further reading

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Advisory Conciliation and Arbitration Service (ACAS) (2005) ***Bullying and harassment at work: a guide for managers and employers.*** London. www.acas.org.uk

Anglican Diocese of Melbourne, Australia (2003 – 2005) ***Harassment and Abuse in the Church:*** Statement from the

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Dudley, Martin and Virginia Rounding (2004) ***The Parish Survival Guide***. London: SPCK

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Erickson-Pearson, Jan (1997/2005) ***Healing in Congregations after Clergy Sexual Abuse***. Evangelical Lutheran Church in America

Field, T. (1996) ***Bully in sight: how to predict, resist, challenge and combat workplace bullying. Overcoming the silence and denial by which abuse thrives***. Wantage: Success Unlimited

Health Policy and Economic Research Unit (2006) ***Bullying and harassment of doctors in the workplace***. British Medical Association.

Kelloway, E. Kevin, Julian Barling, Joseph J. Hurrell, (eds) (2006) ***Handbook of Workplace Violence***. Sage Publications

Lee, Carl and Sarah Horsman (2002) ***Affirmation and Accountability***. Sheldon: Society of Mary and Martha

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www.media.anglican.com.au/tma/2006/04/bullying3.html

Still, Jane (2006): ***Challenging a culture of bullying in the Church*** March 2006 The Melbourne Anglican
www.media.anglican.com.au/tma/2006/03/bullying2.html

Tehrani, Noreen (2001) ***Building a Culture of Respect: Managing Bullying at Work.*** London & New York: Taylor and Francis

Sources of advice

ACAS. www.acas.org.uk

Andrea Adams Trust <http://www.andreaadamstrust.org> This is a good site, part funded by the DTI. They produce a very good factsheet - <http://www.andreaadamstrust.org/factsheet.pdf>

Bullied and Abused Lives in Ministry www.balmnet.co.uk

Bully OnLine www.bullyonline.org

Dignity at Work

Dignity at Work Partnership www.dignityatwork.org

Unite the Union. www.unitetheunion.com

Diocese of St. Edmundsbury and Ipswich (2003) Maltreatment and Abuse of Adults by Adults. Policy, Definition and Code of Practice. www.stedmundsbury.anglican.org/pages/admin/policy

After Pastors. Resources for Church and Religious Communities. www.aeppp.org/churchresources.htm

Training providers

Training for harassment advisers - The Andrea Adams Trust
Hova House, 1 Hova Villas, Hove, East Sussex, BN3 3DH
T: 01273 704 900
F: 01273 704 900
<http://www.andreaadamstrust.org/employers/consultancy/harassment.htm>

Pastoral care, healthy church dynamics - The Beta-Course,
Faculty of Divinity, University of Cambridge, West Road,
Cambridge, CB3 9BS www.beta-course.org

Conflict resolution - The London Mennonite Centre, 14
Shepherds Hill, Highgate, London, N6 5AQ www.menno.org.uk

International Institute of Restorative Practices <http://iirp.org/uk/>

The Restorative Justice Training Foundation, high quality
training for facilitators of restorative interventions at low cost.
<http://www.restorativejusticetraining.co.uk/>

Other resources for clergy

The Society of Mary and Martha, (Caring for people in ministry)
Sheldon, Dunsford, Exeter, Devon EX6 7LE.
www.sheldon.uk.com

Acknowledgements

We are very grateful to the following for their contribution to this guidance.

Mrs. Anne Lee, Lecturer and Tutor in Social Psychology,
University of Oxford.

The Reverend Geoffrey Fenton

The Reverend Pearl Luxon, National Safeguarding Adviser for
the Church of England and the Methodist Church

Rachael Maskell, National Officer Community and Non Profit
Sector, Unite the Union