

Getting on Together: Encouraging positive relationships and preventing bullying and harassment in the Diocese of Chelmsford

Introduction

Within the Church are 'all sorts and conditions' of human beings, diverse in age, gender, ethnicity and with different kinds of ability; there are professionals and volunteers, there are ordained and licensed ministers and faithful members of congregations. The Church is a body whose members acknowledge their individual needs and which recognizes the human capacity for even the best to go wrong. Indeed, a number of the letters in the New Testament are written to dysfunctional churches struggling with damaged and damaging human relationships.

Sadly, illegitimate use of power, bullying and harassment sometimes occurs within the Church as in other areas of human society. In a community called to witness to the eternal dignity of every human being, we have a unique responsibility to challenge such behaviour and create communities where each person has the sustaining reassurance that they will be treated with the respect that is due to all human beings made in the image of God and precious to God.

The resources that Christians bring to that task will include, but not be confined to, good professional practice and the expertise of those experienced in the dynamics of working relationships. The commandment to 'love one another as I have loved you' (John 13: 34) is central to our Christian discipleship. We follow the Servant leader who washed the feet of the man about to betray him. St. Paul was not content to leave 'unfinished business' between Philemon and Onesimus but sought reconciliation. The working group compiling this policy has been concerned that the call to love and forgive may lead individuals who feel bullied or harassed to hesitate before, or even refrain from, seeking appropriate support and help.

We therefore want to emphasize that it is distinctively Christian to 'go to one who sins against you and show them their faults' (Matthew 18:15), and that bullying and harassment, whether intentional or not, can greatly undermine the effectiveness of individual Christians and the Church to which they belong, as well as being extremely hurtful for those involved.

The purpose of this policy is to set out a framework in which, wherever possible, relationships can be rebuilt and trust restored. In this, as in everything, we depend on the grace and power of the Holy Spirit to form each of us more into the likeness of Christ.

*(Acknowledgement: material in this Introduction is partly drawn from
the Archbishops' introduction to the Safeguarding Adults policy)*

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

Standards of behaviour

2. Those with pastoral responsibilities for the clergy in this diocese: Rural/Area Deans, Archdeacons, Area Bishops and the Diocesan Bishop commit themselves 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 in training in support of this policy.

3. The House of Laity of the Chelmsford Diocesan Synod is committed 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.

4. The House of Clergy of the Chelmsford Diocesan Synod, is committed 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.

What is bullying and harassment?

5. 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.

6. 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*

7. 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'. 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.

8. 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?

9. 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.

10. Harassment, in general terms, is unwanted conduct affecting the dignity of men and women. This may take place in churches, offices, church halls, and houses used for church meetings. It may be related to age, gender, sexual orientation, 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 by the recipient.

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

11. 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.

12. 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.

13. 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 will be 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.

Harassment Advisers

14. The Diocese of Chelmsford is committed to the encouragement and training of Harassment Advisers. These 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 advice and information as required in the context of a confidential relationship (see paragraph 25). They are also able to channel complaints and, if suitably trained, to negotiate or mediate between the parties concerned. Details of how to contact Harassment Advisers will be available on the Diocesan website; they will refer situations to other Harassment Advisers where this is appropriate.

Dealing with allegations of bullying or harassment

15. The scope of this policy extends to clergy and lay people, other than those who are employed by the Diocesan Board of Finance, or by a Parochial Church Council, to whom terms and conditions of that employment will apply. The procedure to be followed in the event of allegations should be that applicable to the alleged perpetrator – see appendix 4.

This policy does not apply to children, for whom the Diocesan Child Protection Policy is in place.

First Informal steps

16. If either a clergy or lay person considers that they are a target of bullying or harassment, s/he should speak to the Incumbent. (If the Incumbent is the alleged perpetrator, then the Rural/Area Dean or Lay Chair 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. The person who considers themselves a target may also contact one of the Harassment Advisers (see paragraph 14). Further advice is offered in Appendix 2.

17(i) 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 allegedly perpetrating the harassment. 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.

(ii) 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.

(iii) 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.

18. Incumbents, Rural/Area Deans, Lay Chairs and Harassment Advisers 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.

19. Incumbents, Rural/Area Deans and Lay Chairs are strongly encouraged to draw upon the advice and support offered by Harassment Advisers who have been trained for this work, and appointed to it by the Diocesan Bishop.

20. If someone complaining about bullying or harassment considers the process followed to have been inadequate, s/he should next approach the Rural/Area Dean or Lay Chair. If one of these has been involved because the Incumbent is the alleged perpetrator, the other should be contacted.

21. Anyone approaching their Incumbent, Rural/Area Dean or Lay Chair may be accompanied by a friend or colleague if they so wish.

22. 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

23. 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.

Support

24. Professional counsellors, trades unions, and professional associations are useful sources of support for individuals. Other information is available through organizations such as the Citizen’s Advice Bureau. The Bishops’ Adviser on Pastoral Care is available to clergy and contact details are in the Diocesan Directory.

Confidentiality

25. 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

26. When both the perpetrator and the target are 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.
27. 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 Diocesan Chair of the House of Laity to the perpetrator, setting out the standards agreed under this policy. Clear role descriptions, careful recruitment and proper support for all volunteers will enable PCCs to end such appointments where this is appropriate.
28. After the investigation and action are concluded, the Incumbent (or Rural/Area Dean or Lay Chair) should monitor the situation, and ensure that appropriate continuing support is offered to the parties involved.

Appendix I:

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:

- 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
- sexual harassment
- use of e-mails, either to the individuals or to third parties, to reprimand, insult or otherwise inform someone of their apparent failing
- 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

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?

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 what your role description is, so that you can check whether it matches the responsibilities you are given.
5. Consider what support and advice is available including from qualified counsellors, professional associations, trades unions and the police. The Bishop of Chelmsford has 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 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. 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 Incumbent (or Rural/Area Dean or Lay Chair in certain cases – see paragraphs 16 and 20) Once the situation has been concluded, the Incumbent, Rural/Area Dean or Lay Chair will monitor the situation as appropriate.

11. If the 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. Harassment Advisers will be able to contribute to this decision-making process.

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, 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?

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 Incumbent or Rural/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.
4. This diocese has Harassment Advisers, who have been specially trained to be available to support those involved in cases of bullying and harassment, and you are strongly advised to use this support. Harassment Advisers are volunteers who are trained, observe 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. The Archdeacon may formally investigate the complaint, and may involve the Chair of the House of Laity of the Diocesan Synod.
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.

Appendix 4:

This table illustrates that in the event of allegations made by a person in one category (lay, PCC employee, clergy on Common Tenure, etc) about a person in a different category, the procedure to be followed should be that applicable to the alleged perpetrator.

		Alleged perpetrator				
		Lay person	PCC employee	DBF employee	Clergy – Common Tenure	Clergy - freehold
Alleged target	Lay person	Getting on Together	Employment procedures	Employment Procedures	Getting on Together	Getting on Together
	PCC employee	Getting on Together	Employment Procedures	Employment Procedures	Getting on Together	Getting on Together
	DBF employee	Getting on Together	Employment Procedures	Employment Procedures	Getting on Together	Getting on Together
	Clergy – Common Tenure	Getting on Together	Employment procedures	Employment procedures	Getting on Together	Getting on Together
	Clergy - Freehold	Getting on Together	Employment procedures	Employment procedures	Getting on Together	Getting on Together