

## **Church of the Living Hope - Bullying and Harassment Policy**

### **Policy**

Everyone will be treated with dignity and respect at the Church of the Living Hope.

Bullying and harassment of any kind are in no-one's interest and will not be tolerated in the church; this includes bullying or harassment of staff by visitors to the Church of the Living Hope.

This policy applies to all Trustees, members, volunteers and staff both at church, or away from church.

Bullying and harassment will be treated as disciplinary offences.

### **What are Bullying and Harassment?**

**Harassment**, in general terms, is unwanted conduct affecting the dignity of men and women in the workplace, where actions or comments are viewed as demeaning and unacceptable to the recipient.

It may be related to age, gender, race, disability, religion, belief, sexuality, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident.

**Bullying** is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious. It may be face to face or in written communications, electronic (e)mail, phone.

Whatever form it takes, it is unwarranted and unwelcome to the individual. It may take place in private or in public.

For further guidance see:

<https://www.gov.uk/workplace-bullying-and-harassment>

Examples of bullying/harassing behaviour include:

- ✓ spreading malicious rumours, or insulting someone by word or behaviour (particularly on the grounds of race, sex, age, disability, sexual orientation and religion or belief);
- ✓ copying memos, emails or messages that are critical about someone to others who do not need to know;
- ✓ ridiculing, belittling or demeaning someone - picking on them or setting them up to fail;
- ✓ exclusion or victimisation;
- ✓ unfair treatment;
- ✓ personal insults or name calling
- ✓ repeatedly shouting or swearing in public or in private

- ✓ overbearing supervision or other misuse of power or position;
- ✓ unwelcome sexual advances - touching, standing too close, the display of offensive materials;
- ✓ Intrusion or pestering – following, repeated unwanted messaging
- ✓ making threats or comments about job security without foundation;
- ✓ deliberately undermining a competent worker or volunteer by overloading and constant criticism;
- ✓ preventing individuals progressing by intentionally blocking promotion or training opportunities.

Legitimate, constructive and fair criticism of an employee's or volunteer's performance or behaviour at work is not bullying. An occasional raised voice or argument is not bullying.

Spiritual Abuse is included in this policy and will be included in the updated version of the CLH Safeguarding policy.

The following excerpt is from ThirtyOne:Eight from whom we take safeguarding advice.

#### *Definition of Spiritual Abuse*

"Spiritual abuse is coercion and control of one individual by another in a spiritual context. The target experiences spiritual abuse as a deeply emotional personal attack.

"This abuse may include: - manipulation and exploitation, enforced accountability, censorship of decision making, requirements for secrecy and silence, pressure to conform, misuse of scripture or the pulpit to control behaviour, requirement of obedience to the abuser, the suggestion that the abuser has a "divine" position, isolation from others, especially those external to the abusive context." (Oakley & Kinmond, 2013 p21)

Spiritual abuse is also covered in the Church of England's Policy for Safeguarding

See <https://thirtyoneeight.org/news/thirtyoneeight-statement-on-the-future-of-church-safeguarding-report/>

#### **Confidentiality**

These matters are to be treated with absolute confidentiality and no action will be taken without the willing consent of the person who feels he or she has been a target, except where there are circumstances which demand referral to the statutory authorities (e.g., child protection issues).

#### **Procedures**

Complaints of bullying and/or harassment, or information from staff, trustees or volunteers relating to such complaints, will be dealt with fairly and confidentially and sensitively by the appointed Trustee with other trustees and /or the appropriate line managers. If the allegations relate to a Trustee or Chair of Trustees, the remaining trustees should take the lead.

Assistance can be sought from the Bishop or representative of ACE. However bullying or harassment will not be treated as a standard grievance; it is a serious issue and will be treated as such.

### **Making a Complaint**

It is hoped that by offering volunteers and staff support and guidance, most issues that arise can be resolved swiftly and informally. A process for raising and dealing with complaints, including those about bullying and harassment, is contained in The Church of The Living Hope's Complaints, Grievance and Discipline Policy and Procedure.

### **Investigation**

Complaints will be taken seriously and investigated promptly, objectively and independently. Decisions can then be made as to what action needs to be taken.

### **Informal action**

If appropriate, the matter will be dealt with 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.

### **Formal action**

Where more serious cases of bullying or harassment are reported  
Concerning:

- A. Employees - will be dealt with in accordance with The Church of The Living Hope's Discipline Policy and Procedure. In the case of clergy, this may mean that they need to be dealt with under Canon 21 of the ACE (Anglican Convocation in Europe) Canons.  
Where bullying or harassment amounts to gross misconduct, dismissal without notice may be appropriate.
- B. Trustees - will be dealt with in accordance with the Church of the Living Hope Constitution. See: Section 12 Disqualification, Retirement and Removal of Trustees.
- C. Volunteers – Including the Leadership Team and other volunteers in significant roles.  
If they are found to be in breach of the CLH Volunteers Code of Conduct, the "Guidelines for dealing with complaints against Volunteers" may then be followed. See Appendix 1.

Depending on the seriousness of the situation, we may also make a report to statutory agencies such as the police and/or Social Work Department.

### **Counselling and Mediation**

Counselling or mediation may be considered, particularly where investigation shows no cause for disciplinary action, or where it may be useful to help resolve the issue or help support the person accused as well as the complainant.

### **Unfounded allegations**

Employees or volunteers lodging a complaint will not be disciplined for doing so unless somebody makes an unfounded allegation of bullying and/or harassment **for malicious reasons**.

### **Procedures**

The aim of these procedures is to ensure incidents of bullying and harassment can be recognised and dealt with.

### **How can bullying and harassment be recognised?**

Behaviour that is considered bullying by one person may be considered firm management by another. Most people will agree on extreme cases of bullying and harassment but it is sometimes the “grey” areas that cause most problems.

Bullying and harassment can often be hard to recognise – they may not be obvious to others, and may be insidious. The recipient may think “perhaps this is normal behaviour for the Church of the Living Hope”. They may be anxious that others will consider them weak, or not up to the role, 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.

People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial but which may be the “last straw” following a series of incidents.

There is often fear of retribution if they make a complaint.

Staff or volunteers may be reluctant to come forward as witnesses, as they too may fear the consequences to themselves. They may be so relieved not to be the target of the bully that they collude with the bully as a way of avoiding attention.

Bullying and harassment makes someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and demotivated.

Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work or church, and even resignation. Almost always job performance is affected and relations in the workplace suffer.

### **Why do we need to take action?**

Bullying and harassment are not only unacceptable on moral grounds but may, if unchecked or badly handled, create serious problems:

- ✓ Poor morale and poor employee, volunteer and church member relations;
- ✓ Loss of respect for church leaders, and trustees;
- ✓ Poor performance;
- ✓ Lost productivity;
- ✓ Absence;
- ✓ Resignations;
- ✓ Damage to organisational reputation;
- ✓ Tribunal and other court cases and payment of unlimited compensation.

### **The legal position**

#### ***Discrimination and harassment***

It is not possible to make a direct complaint to a tribunal about bullying. However, employees might be able to bring complaints under laws covering **discrimination and harassment**.

#### ***Unfair dismissal***

Employers have a duty of care for all their employees and volunteers. With regard to employees, if the mutual trust and confidence between employer and employee is broken – for example through bullying and harassment at church or in a church related group – then an employee can resign and claim “constructive dismissal on the grounds of breach of contract. Employers are usually responsible in law for the acts of their workers. Breach of contract may also include the failure to protect an employee’s health and safety at work. Under the Health and Safety at Work Act 1974 employers are responsible for the health safety and welfare at work of all employees. The Health and Safety Executive’s “*Guidance on stress in the workplace*” includes the advice that “*stress should be treated like any other health hazard*” and that employers have a “*legal duty to take reasonable care to ensure health is not placed at risk through excessive and sustained levels of stress*”.

### **Action by Management**

Leadership should be clear about the standards of behaviour expected, set a good example in their own behaviour and ensure that individuals are fully aware of their responsibilities to others.

#### ***Procedures***

Bullying should not be treated as a standard grievance; it is a serious issue and must be treated as such. Complaints of bullying and / or harassment, or information from staff or volunteers relating to such complaints, must be dealt with fairly and confidentially and sensitively using the general format set out in the organisations grievance procedures.

### ***Investigation***

Complaints must be taken seriously and investigated promptly and objectively. Employees and volunteers do not normally make serious accusations unless they feel seriously aggrieved. The investigation must be seen to be objective and independent. Decisions can then be made as to what action needs to be taken.

### ***Informal approaches***

In some cases it may be possible to rectify matters informally. Sometimes people are unaware that their behaviour is not welcome 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 from a Leader, a Trustee or a representative.

### ***Counselling***

Counselling or mediation may be used where appropriate, particularly where investigation shows no cause for disciplinary action, or where doubt is cast on the validity of the complaint. Counselling may be used to resolve the issue or help support the person accused as well as the complainant.

### ***Serious misconduct***

In cases which appear to involve serious misconduct, and there is reason to separate the parties, a short period of suspension of the alleged bully/harasser may need to be considered while the case is being investigated. When somebody makes an unfounded allegation of bullying and/or harassment for malicious reasons the case should be investigated and dealt with fairly and objectively.

Date of ratification by Trustees:

Signed on behalf of Trustees:

### **Change Record**

| <b>Date of Change:</b> | <b>Changed By:</b> | <b>Comments:</b>                |
|------------------------|--------------------|---------------------------------|
| xx/xx/xx               | XX                 | Policy approved by the Trustees |
|                        |                    |                                 |
|                        |                    |                                 |
|                        |                    |                                 |

## **Appendix 1**

### **Guidelines for dealing with complaints regarding volunteers**

**If there is a problem with a volunteer that has not been resolved informally**

The Church of the Living Hope aims to support our volunteers so that they are able to enjoy their volunteering and meet any standards required. It is hoped that if volunteers find they are struggling with their role, they will ask a Trustee, or Leadership Team Member, about additional support, guidance, or training.

If The Church of The Living Hope does not consider that additional support, guidance and training will overcome the issues then it may be appropriate for the volunteer to move to a different role. This should not be regarded as a failure for the volunteer. If possible a more suitable role could be explored.

If discussion has not resolved a problem, or if a complaint is made about a volunteer, any of the following measures may be used, depending on the severity of the problem. The Church of the Living Hope reserves the right to judge the severity of a problem and take appropriate action.

#### **Stage 1 – Discussion**

The member of the Leadership Team whom the volunteer reports to, or another suitable person, will discuss the issue with the volunteer, try to identify its possible causes, and try to find a way to resolve the situation.

If necessary The Church of the Living Hope may be able to provide extra support or training, or to review the volunteer's current role.

#### **Stage 2 – Written stage**

If the issue hasn't been resolved through discussion, or if a serious problem has arisen, the volunteer will be contacted in writing, outlining the problem and any action that might be taken to resolve it, with deadlines as appropriate.

If at this stage, The Church of the Living Hope does not believe that it will be possible to find a solution, this will be made clear.

#### **Stage 3 – Ceasing volunteering**

The Church of the Living Hope reserves the right to require the volunteer to stop volunteering, if necessary with immediate effect. In this case, the volunteer will receive an explanation of why this decision has been reached.

