Policy Title: Bullying and Harassment Policy	
Date policy began:	October 2024
Date of last change:	October 2024
Review date:	October 2025
Approved by:	Central Services Committee

Introduction

The Chester Diocesan Board of Finance is committed to creating a respectful and harmonious workplace, which is free from harassment and bullying of any kind, and one in which everyone is treated with respect and dignity.

It is committed to ensuring that individuals do not feel harassed or bullied because of their religious belief (including theology or church tradition), or those characteristics with are protected under the Equality Act or any inappropriate behaviour towards them.

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. A concern is 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), although it is important to ensure that individuals feel safe and may prefer to take someone to accompany them. 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)

Policy Summary

The Diocese of Chester is committed to creating a culture of care throughout the Churches and Offices of the Diocese, especially creating a respectful and harmonious

space, free from harassment and bullying of any kind and one in which everyone is treated with respect and dignity.

There are behavioural expectations placed upon all employees, office holders, licence holders and volunteers.

Purpose

1. To outline behavioural expectations.
2. To outline how harassment, bullying or other inappropriate behaviour will be dealt with.

What is bullying and harassment?

Harassment is unwanted conduct affecting the dignity of men and women. It may be related to age, gender, sexuality, race, disability, sexual orientation, religious belief (including theology and church tradition), nationality or any personal characteristic of the individual and may be persistent or an isolated incident. The important thing to ask is whether actions or comments are viewed as demeaning or unacceptable to the recipient.

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

Bullying is repeated inappropriate, offensive behaviour which is often an abuse of power or position. It may be direct or indirect, verbal, physical or otherwise. It may be conducted by one or more persons against another or others.

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 the dignity of individuals. It may be related to one or more of the Protected Characteristics (including theology or church tradition), or any personal characteristic of the individual, and may be persistent or an isolated incident. Differences of gender or ethnic background, for example, may mean that what is said or done is not understood or heard as it was intended. The important point is that the actions or comments are viewed as demeaning and unacceptable by the recipient.

Bullying and harassment may take place in any context in churches, offices, church halls and houses used for church meetings. A list of examples of bullying and harassing behaviour is provided at Appendix 1.

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.

In deciding whether conduct constitutes bullying or harassment, the following must be taken into account:

- The perception of the individual making the allegation
- The other circumstances of the case.
- Whether it is reasonable for the conduct to have that effect.

Any person making an allegation of bullying or harassment must describe the behaviour complained of, and the occasion(s) when it occurred in order for it to be considered and investigated. However, deliberately malicious complaints will be regarded very seriously.

Sexual harassment

The new Worker Protection (Amendment of Equality Act 2010) Act 2023 came into effect in October 2024. The Act introduces a new positive legal obligation on employers to take reasonable steps to protect their workers from sexual harassment. If an employer breaches the preventative duty, (the Equality and Human Rights Commission) has the power to take enforcement action against the employer.

The Diocese of Chester will not tolerate sexual harassment and will invoke the Bullying and Harassment procedure if any harassment is alleged. Such allegations will be taken seriously.

In England and Wales, the legal definition of sexual harassment is when someone carries out unwanted sexual behaviour towards another person that makes them feel upset, scared, offended or humiliated.

It is also when someone carries out this behaviour with the intention of making someone else feel that way. This means that it can still be sexual harassment even if the other person didn't feel upset, scared, offended or humiliated.

The Equality Act 2010 says someone sexually harasses another person if they: Engage in unwanted conduct of a sexual nature the conduct has the purpose or effect of either violating the other person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Sexual harassment is a form of unlawful discrimination under the Equality Act 2010

Sexual harassment includes a really wide range of behaviours, such as:

- Sexual comments or noises – for example, catcalling or wolf-whistling.
- Sexual gestures.
- Leering, staring or suggestive looks. This can include looking someone up and down.
- Sexual 'jokes'.
- Sexual innuendos or suggestive comments.
- Unwanted sexual advances or flirting.
- Sexual requests or asking for sexual favours.
- Sending emails or texts with sexual content.
- Sexual posts or contact on social media.
- Intrusive questions about a person's private or sex life.
- Someone discussing their own sex life.
- Commenting on someone's body, appearance or what they're wearing.
- Spreading sexual rumours.
- Standing close to someone.
- Displaying images of a sexual nature.
- Unwanted physical contact of a sexual nature – for example, brushing up against someone or hugging, kissing or massaging them.
- Stalking.
- Indecent exposure.
- Taking a photo or video under another person's clothing – what is known as 'upskirting'.

Dealing with allegations of bullying or harassment

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

This policy does not apply to situations involving children or vulnerable adults; the Diocesan Child Protection Policy and the Safeguarding guidelines for Vulnerable Adults should be used where children or vulnerable adults complain of bullying or harassment. At any stage, the Diocesan Safeguarding Team must be consulted if there is any uncertainty as to whether the allegation should be raised as a Safeguarding concern within the definitions set out in the House of Bishops practice guidance.

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

Enforcement

In addition to the legislation described above, the Church of England has specific rules and procedures to deal with harassment and bullying. These include:

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

Fair procedures

All allegations of bullying or harassment will be taken seriously and investigated.

The procedures are detailed in a separate document: Bullying and harassment Procedure.

False or vexatious accusations

False or vexatious 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.

Protection for those making complaints or assisting with an investigation

Those who make a complaint or have participated in good faith in any investigation conducted under this policy must not suffer any form of retaliation or victimisation as a result.

Those who believe they have suffered any such treatment should inform the Archdeacon, Director of Human Resources or a diocesan officer. If the matter is not

remedied they should raise it formally using the Grievance Procedure or the accompanying Bullying and Harassment procedure if appropriate.

Any cleric found to have retaliated against or victimised someone for making a complaint or assisting in good faith with an investigation under this procedure may be subject to the Clergy Discipline Measure 2003.

Appendix 1:

Examples of bullying and harassing behaviour

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

- 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 sabotaging of work or actions
- deliberately withholding information or providing incorrect information.
- displaying offensive material
- displaying or conducting sexual harassment, included unwanted sexual attention
- using of e-mails, either to the individuals or to third parties, to reprimand, insult or otherwise inform someone of their apparent failings
- repeatedly shouting or swearing in public or in private
- spreading malicious rumours to third parties
- giving public humiliation by constant innuendo, belittling and 'putting down'
- giving personal insults and name-calling
- showing aggressive gestures, verbal threats and intimidation
- giving persistent threats about security
- making false accusations
- demonstrating aggressive bodily posture or physical contact
- talking/shouting directly into someone's face
- displaying direct physical intimidation, violence or assault
- Showing sexual harassment behaviours towards another.

  The most serious incidents might result in:
  - creating an unsafe 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. If others have witnessed bullying incidents, ask if they will support you. The Diocese has arranged for "listeners" to be available to you, who have been specially trained to be available to support and accompany you and you are strongly advised to use this support. Additionally, the Bishop has appointed Pastoral Chaplains who may also be able to provide help and support.
3. Clergy and DBF employees also have access to the Health Assured Employee Assistance Programme. Further details can be found on the diocesan website or via the HR department.
4. 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.
5. It has been shown that it is rarely advisable for an individual to confront a bully alone, without professional support. You can have a conversation with any of the supporters detailed above and discuss with them whether to confront the alleged harasser, alone or with their support or whether you would like someone to talk to the alleged harasser on your behalf. Every effort should be made to use informal means, including considering alternative dispute resolution such as mediation or restorative justice, to stop the offensive behaviour before formal procedures are invoked. It is worth discussing whether mediation is an appropriate response in the particular situation before proceeding further. You should also make it clear that if the behaviour continues you will make a formal complaint.
6. This may be enough to sort things out, particularly if the person(s) involved was/were unaware that their behaviour was causing offence. The Diocese has people trained in mediation.
7. Whenever possible, any complaint of bullying or harassment should be notified, in confidence, to your line manager or Incumbent. Once the situation has been concluded, the line manager or Incumbent will monitor the situation as appropriate. The transition to a formal process will involve consulting the line manager or Archdeacon. If the Archdeacon decides the matter is sufficiently

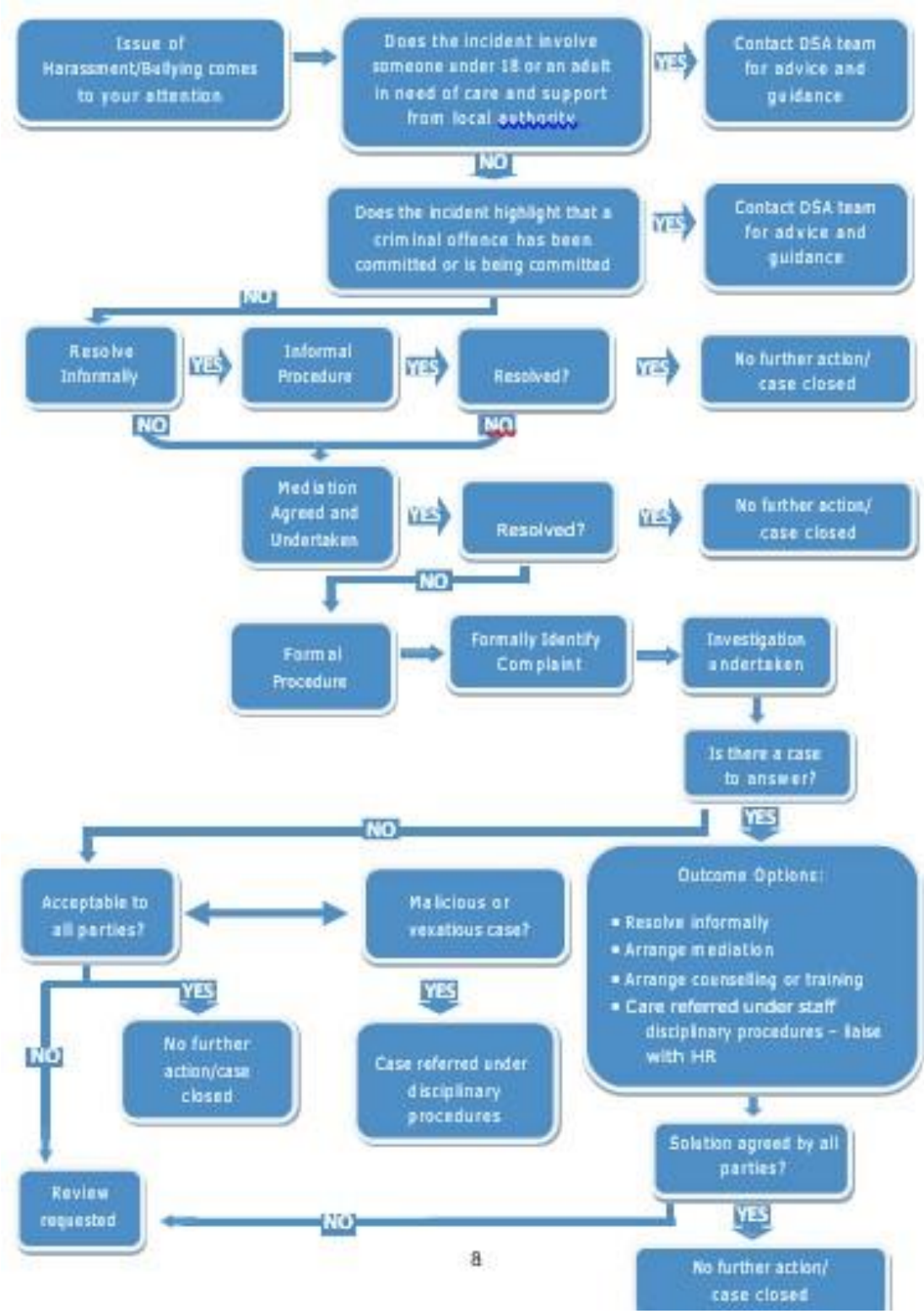
serious, they will make a file note of action taken and with your permission, institute an investigation under the formal procedures.

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 line manager, Incumbent or Rural Dean if you are accused of harassment. The aim of the person you contact will be to facilitate discussion with a view to resolving the problem at source if possible.
4. In many cases the problem will be resolved informally through discussion. You will be asked to reflect on your behaviour and the possibility that you might be at fault, whether consciously or not. Mediation with an external mediator might be appropriate.
5. If an informal process is unsuccessful, consideration will be given to moving to a more formal process involving the Archdeacon. The Diocese must ensure that any formal procedures are fairly and properly followed. Details relating to the circumstances that gave rise to the complaint, the evidence of witnesses and the nature of the relationship between the person complaining and yourself will all be taken into account.
6. 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.
7. 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 – Flowchart



Appendix 5 – Sample Code of Conduct

The following sets expectations for how colleagues (clergy, staff and volunteers) should behave and interact with one another as they perform their day-to-day responsibilities and contribute to the overall mission. This code of conduct reflects strong person-centred values and guiding principles for your behaviour that will foster a team environment of grace, love and patience.

All PCC members should sign up to this Code of Conduct.

The fruit of the Spirit is love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control. Galatians 5:22 & 23.

Act with integrity - Integrity is when you behave honourably and do what is right and fair, even when no one is watching. Integrity in the work environment allows all colleagues to trust each other to perform their work diligently.

Act with Professionalism - The way you conduct yourself, relate to others and approach tasks can influence your degree of professionalism. All your colleagues have an important role; professional collaboration entails you appreciating the strengths and value of others within your team and other teams.

Act with Respect – a mutual respect culture begins with a zero tolerance approach to disrespect. Respect is communicated through empathy and a due regard for the feelings of others. Your positive attitude towards others can validate you accept them, even if you do not necessarily agree with their opinions or decisions. Respect involves not speaking negatively to or about your colleagues or using unprofessional language. When colleagues act respectfully and value each other they avoid work conflict and can work together peacefully.

Use Conscious Communication - your kindness, optimism and use of positive language can instil a positive mindset and breathe inspiration amongst colleagues. Such communication helps to foster professional relationships and nurtures strong working partnerships. You should actively listen to and include others, encouraging and enabling everyone's voice to be heard in discussions and decisions. When you disagree be considerate and respectful in your responses:

- Make comments in a constructive manner avoiding insults, sarcasm and criticism.
- Be patient and don't raise your voice to others.

- Be aware of your feelings, taking time to calm down and seek pastoral support if needed.
- Listen with compassion and seek to understand others point of view.

Humour and laughter is very much encouraged however, be mindful of the impact of your conversations, no one should be made to feel uncomfortable by comments you make.
Conscious communication involves avoiding workplace gossip or discussing sensitive topics not relevant to your role.

Celebrate Success – We want to foster a culture of recognition of your efforts, not only your own success but the success of others. Let's celebrate each other in our achievements and empower team and individuals to continue to strive for excellence in an atmosphere of grace, love and patience. When we make mistakes, let us learn from our mistakes and be supportive to each other in achieving better outcomes and practice positive accountability.

Organisational Culture - is living and breathing and evolving all the time. Your behaviour can help to foster a positive culture where everyone feels valued. Please do not underestimate your role, as allowing negative behaviours and toxic attitudes to fester will cultivate an unfavourable work experience for all. Please report non-compliance of this code of conduct and any unethical and inappropriate behaviour.