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

**Introduction**

The purpose of this document is to provide the procedures alongside the Bullying and Harassment Policy.

The procedure will vary according to the officer to whom the policy is applied and the most appropriate procedure for the particular situation should be adopted.

**Informal resolution**

With any procedure it is always preferable to deal with the matter informally in the first instance.

If appropriate, the victim should speak with the perpetrator to make them aware of their behaviour. If this is not appropriate in the circumstances, the victim should speak to a suitable person to speak to the perpetrator on their behalf. Depending on the circumstances this may be a line manager, an Incumbent, Churchwarden, Rural Dean or Archdeacon.

Where informal resolution has not achieved the necessary response, the formal procedure should be followed. See the relevant procedure in the appendices.

**Confidentiality**

Matters relating to implementing bullying and harassment procedures 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. A written record will be made and kept in accordance with General Data Protection Regulations.

**Appendix 1**

**Procedure for employees**

Employees should follow the Anti-Harassment Procedure found on the Staff Hub of the Diocese of Chester.

**Appendix 2**

**Procedure for employees of PCCs**

PCC employees should follow the policy provided by their parish. Where the alleged perpetrator is the Incumbent, the employee should approach their line manager or Churchwarden.

**Sample Policy & Procedure for a PCC**

**Bullying & Harassment Policy and Procedure**

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

The PCC does not tolerate bullying behaviour.

**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.

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. It should be noted that deliberately malicious complaints will be regarded very seriously.

**Procedure**

**Informal Process**

Allegations of bullying and harassment should be dealt with informally wherever possible.

The complainant should, where possible speak directly to the alleged perpetrators they may not realise that their behaviour constitutes bullying. Where this is not possible, another person may approach the alleged perpetrator with the complainant or on their behalf.

**Formal Process**

Where the outcome has not been satisfactory, the complainant should make a written formal complaint to the Incumbent or PCC Secretary. They will ensure that the matter is investigated and information gathered. A decision will be made as to whether the behaviour is deemed to constitute bullying of harassment.

An appropriate sanction will be determined which is commensurate with the behaviour. Support for the complainant and alleged perpetrator will be provided.

The Incumbent or PCC Secretary may seek the support and guidance of diocesan officers to assist with this process.

**Appendix 3**

**Procedure for handling bullying and harassment complaints when the perpetrator is lay (not an employee of the Parish / Diocese)**

**First Informal steps**

If a lay member of a church or a volunteer considers that they are a target of bullying or harassment, or that someone’s behaviour towards them has fallen short of a Code of Conduct, they should speak to the Incumbent[[1]](#footnote-1).

The Incumbent (or other officer) will ensure that appropriate pastoral care is offered to all parties. It is helpful to aim to speak to the Incumbent 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 complainant may also be put in contact with a person from an external Listening Service.

1. The Incumbent (or other officer) should make further enquiries about the allegations and, if there is sufficient evidence to justify a complaint, to speak to the alleged perpetrator. It is the Incumbent’s responsibility wherever possible to take speedy action to stop harassment and it is important that it is made clear to the alleged perpetrator that such behaviour is unacceptable and will not be tolerated.
2. 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. 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 complainant will choose to do this themselves, or they may need support.
3. 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.

Incumbents and others 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.

Incumbents are strongly encouraged to draw upon the advice and support offered by Rural Deans, Archdeacons, The Diocesan Safeguarding Adviser (DSA) and HR Director.

**Formal Procedures**

If an informal approach does not achieve satisfactory results, or the nature of the

incident(s) prompts the person who feels harassed to take a more formal approach, a written complaint should be made to the Incumbent or other officer. Anyone bringing an issue forward may be accompanied by a friend or colleague if they so wish.

**Potential Outcome**

More enquiries will be made with written records kept. After all the information has been gathered, the Incumbent (or other officer) will make a decision as to whether they feel bullying has occurred. Depending upon the particular circumstances, an outcome or sanction commensurate with the behaviour will be determined.

Complaints of bullying or harassment by a lay person may, with the complainant’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 Bishop to the alleged perpetrator, setting out the standards agreed under this policy and the Code of Conduct detailing the expected standard of behaviour.

After the investigation and action are concluded, the Incumbent or another nominated suitable person should monitor the situation, and ensure that appropriate continuing support is offered to the parties involved.

**Appendix 4**

**Procedure for Clergy**

Where the alleged perpetrator of bullying or harassment is an ordained cleric the following procedure should be used.

**First Informal steps**

Where a lay person or cleric feels that they have been bullied by an ordained cleric they should first attempt to resolve the matter informally by speaking directly with them if this is possible. It may be helpful to ask a friend or other person to assist. A Rural Dean may be able to provide some assistance in this matter.

**Formal Procedures**

If an informal approach does not achieve satisfactory results, a written complaint should be raised with an Archdeacon or the Diocesan Safeguarding Adviser. Anyone bringing an issue forward may be accompanied by a friend or colleague if they so wish.

A formal complaint of bullying or harassment against a licensed or ordained minister holding office under Common Tenure, may, with the complainant’s consent, be brought under the Clergy Discipline Measure (CDM) 2003. The CDM process will be followed: <https://www.churchofengland.org/about/leadership-and-governance/legal-resources/clergy-discipline>

Support will be provided to the complainant and the alleged perpetrator.

After the investigation and action are concluded, the situation, will be monitored. Continuing support will be offered to the parties involved.

**Appendix 5**

**Procedure for Clergy and Licensed Lay Ministers with Permission to Officiate**

Where the alleged perpetrator is a Cleric holding the Bishop’s Permission to Officiate the following process should be followed.

**Informal steps**

An attempt to resolve the matter informally should be made by speaking directly with the person. This may be a direct contact by the alleged victim, or another person on their behalf.

**Formal Procedures**

If an informal approach does not achieve satisfactory results a written complaint should be made to the Incumbent, or other suitable officer.

An investigation will take place and a decision made. The appropriate sanction will be determined. This may include the Bishop writing to the cleric or removing their Permission to Officiate.

After the investigation and action are concluded, the situation will be monitored and appropriate continuing support offered to the parties involved.

**Appendix 6**

**Procedure for Licensed Lay Ministers**

Where the alleged perpetrator is a Licensed Lay Minister, the complainant should attempt to resolve the matter informally by speaking to the lay minister directly. Where this is not appropriate, the complainant may ask another person to make the approach on their behalf.

**Formal procedure**

Where the matter has not been resolved at the informal stage, a written complaint should be made to the Incumbent (or other appropriate person).

The matter will be investigated and information gathered before a decision is made. Appropriate members of the Ministry team will be involved in the making of the decision. An appropriate sanction will be determined and may involve a letter being written to the Lay Minister by the Bishop or Archdeacon. A Licensed Lay Minister’s licence may be removed if this is deemed appropriate.

After the investigation and action are concluded, the situation will be monitored and appropriate continuing support offered to the parties involved.

**Flowchart**

Complaint received against:

Follow the Anti-Harassment Procedure found on the Staff Hub

DBF Employee

Follow the policy provided by their parish

PCC employees

See Appendix 3

Lay Worker

See Appendix 4

Clergy person

See Appendix 5

Clergy with PTO

See Appendix 6

Licensed Lay Ministers

1. The references in this document to “Incumbent” include Priests-in-Charge and other ordained ministers. [↑](#footnote-ref-1)