



THE CHURCH  
OF ENGLAND  
Diocese of Manchester

CHURCH  
FOR A  
DIFFERENT  
WORLD

# Dignity at Work Policy & Procedure

For Ecclesiastical Office Holders

# **DIOCESAN DIGNITY at WORK**

## **POLICY & PROCEDURE – Ecclesiastical Office Holders**

### **1. Policy introduction**

- 1.1 The Diocese of Manchester is committed to promoting a working environment where every Office Holder is treated with respect and dignity and in which no Office Holder feels threatened or intimidated because of his/her age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (colour, nationality, ethnic or national origin), religion or belief, sex or sexual orientation. These attributes of a person are referred to in the Equality Act 2010 as protected characteristics. The Diocese is committed to promoting a working environment where bullying and harassment does not occur and where it does it is quickly dealt with. This policy is also applicable to Church Army Captains and Sisters.
- 1.2 Harassment and bullying can affect the health, confidence, morale and performance both of those affected by it and those who witness it.
- 1.3 The aim of this policy is to prevent harassment and bullying in the workplace and to provide guidance to deal with instances of harassment and bullying, thereby preventing reoccurrence.
- 1.4 The term workplace is used broadly and incorporates all areas where the Office Holder is required to perform duties.
- 1.5 The policy refers to the person who is being bullied or harassed as the "target". This is used as it is not an emotive description and does not suggest how they react. For example, a term such as victim could imply powerlessness.
- 1.6 This policy and procedure is applicable to both stipendiary and self-supporting clergy.

### **2. What is harassment and bullying?**

- 2.1 Harassment is any form of unwanted verbal, non-verbal or physical conduct that has the purpose or effect of violating the dignity of a person and/or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment is normally referred to when it relates to a protected characteristic, such as being disabled. Bullying might relate to such a characteristic, but is used more widely to describe sustained abuse of an individual, often where a position of power or authority is held.
- 2.2 Harassment is a form of discrimination and can either be a single example of grossly offensive conduct or repeated examples which have been indicated by the target as being unacceptable and which could be judged offensive by a reasonable person.
- 2.3 Harassment also constitutes behaviour that is unacceptable to an individual or group and that undermines their dignity. It is possible that behaviour which is acceptable to one individual may be deemed unacceptable by another. It is always the perception of an individual Office Holder that is important and it is the effect of the harasser's behaviour on the target that is the issue, not the intention or motive of the harasser.
- 2.4 Such harassment may be about the individual's own characteristics, e.g. religious belief or sexual orientation, or it may be about the characteristics of others that individual associates

with, or it may be about the individual's perceived characteristic e.g. religious belief or sexual orientation.

- 2.5 Such conduct is unacceptable in the Diocese and all Office Holders will be expected to comply at all times with the spirit of this policy.
- 2.6 An indication of what action can be taken in a range of situations is provided as **Appendix One**.

### **3. Forms of harassment and bullying**

- 3.1 Harassment and bullying can take many forms ranging from the extreme such as violence and sustained verbal bullying to the less obvious actions such as displaying of obscene pictures or calendars, or copying others into emails that are critical and aim to undermine. Harassment or bullying can be through a range of media including verbal exchanges, written communication, email and social media.
- 3.2 The following examples indicate behaviour which could constitute harassment or bullying, although the list is not exhaustive:
  - Physical conduct: behaviour ranging from touching to serious assault, pestering, stalking or spying
  - Verbal and written harassment: jokes, racist remarks, offensive language, gossip, slander and threats
  - Visual displays: posters, graffiti or gestures of an offensive nature
  - Isolation or non-co-operation at work
  - Coercion, including pressure for sexual favour
  - Intimidation
  - Constant undermining or unjustified criticism
  - Extreme forms of harassment, such as racial and sexual assault, constitute offences under the criminal law.

### **4. Impact of harassment and bullying**

- 4.1 Harassment and bullying can cause stress, anxiety and even illness leading to absenteeism, lack of commitment, poor performance and even resignation from office.

### **5. Responsibilities**

- 5.1 Office Holders are responsible for ensuring that in their day to day relationships with whom they deal there is no harassment or bullying of any individual for any reason.

## **6. Principles underlying the procedures**

6.1 The following principles will be observed:

- All Office Holders are entitled to be treated equitably and with dignity.
- Raising a complaint through this procedure does not preclude an Office Holder from pursuing a claim through an employment tribunal. This would be for both stipendiary and self-supporting clergy. Office holders should be aware that there are strict time limits for taking cases to employment tribunals.
- If an investigation indicates that harassment or bullying has taken place, this will be deemed to be misconduct and disciplinary action may be taken in accordance with the Clergy Discipline Measure (2003)
- All allegations made will be treated seriously and investigated promptly. Investigations will be thorough and impartial. The confidentiality of both the target and the 'perpetrator' will be given due regard at all times.

## **7. The procedure for dealing with harassment or bullying**

7.1 Any Office Holder who believes that he/she has experienced or is experiencing or believes that another Office Holder is experiencing any form of harassment or bullying is entitled to raise a complaint through this procedure. They must state clearly how the complaint relates to this policy/procedure. The informal procedure can be used in many situations; the formal procedure refers to the Grievance Procedure. If you are unsure about how to apply the procedure, Human Resources can discuss the approach you intend to adopt with you and answer questions about procedure.

### **Reporting**

- 7.2 Any allegations of harassment or bullying should be immediately reported to your Archdeacon unless you feel able to deal with it informally without assistance. If it is not appropriate to engage the Archdeacon, please report the matter to Human Resources who will provide advice on the best way in which to proceed.
- 7.3 Complaints of harassment or bullying should be made as soon as possible after the incident(s) have occurred. However, because of the personal nature of harassment or bullying, a complaint may be made some time after the event.
- 7.4 Although in most cases, the person reporting the bullying or harassment will be the target of the harassment or bullying, another Office Holder who believes that one of his/her colleagues is experiencing harassment or bullying may initiate a complaint.

### **The Informal Stage**

7.5 Where appropriate, rather than immediately conducting a formal investigation as part of the grievance procedure, a more informal investigation and resolution might take place. This might be the most appropriate approach, for example, where a lesser instance of harassment or bullying has been reported or where the target of the behaviour is unwilling to make a formal complaint.

- 7.6 The advantage of this approach is that it is generally speedy, effective and minimises embarrassment.
- 7.7 If an Office Holder wishes to take informal action in order for the behaviour to stop, or where the harassment or bullying is not serious or where there has only been one incident, it may be appropriate for the target to approach the alleged harasser directly, clarifying the behaviour that they consider to be unacceptable, explaining that it is unwelcome and requesting that it be stopped. In some cases, this may be sufficient action to resolve the situation.
- 7.8 If it is difficult or embarrassing to do this directly, or if an approach of this nature has not resolved the situation, an Office Holder may inform his or her Archdeacon and ask him/her to assist with the process. In such circumstances, the target of the bullying or harassment may ask the Archdeacon to approach the alleged harasser or bully on their behalf, outlining the behaviour that has been found unacceptable, explaining that it is unwelcome and requesting that it be stopped. Alternatively, the target of the behaviour may ask the Archdeacon to be present when the approach is made to the alleged harasser or bully.
- 7.9 During this stage of the procedure, there is no formal investigation of the complaint and disciplinary action will only be taken if the complaint is considered through the formal stage of the procedure.
- 7.10 The target should be made aware that:
- The involvement of his/her Archdeacon will result in a written record of both of the allegation and the outcome, which could be used in any further action through the formal stage of the procedure.
  - Although the target may feel that the situation is resolved, there may be circumstances where an Archdeacon may wish to initiate the formal stage of the process (e.g. similar allegations from other Office Holders).
- 7.11 If the preliminary investigations indicate that the harassment or bullying is serious in nature a formal investigation may be necessary.

### **The Formal Stage**

- 7.12 While the informal procedure above may resolve the majority of harassment or bullying complaints, where the harassment or bullying is serious or if the harassment or bullying continues after the informal stages have been exhausted, or if the target prefers, the formal stage of the procedure will be followed where the alleged perpetrator is an Office Holder. This will require the use of the Grievance Procedure
- 7.13 Where the informal stage has not achieved a satisfactory outcome, and the alleged perpetrator is not an Office Holder, the way forward should be discussed between the Office Holder and their Archdeacon and reference made to **Appendix One**.
- 7.14 At the end of the procedure, where appropriate, mediation, training and/or counselling will be offered to both the target and the (alleged) bully or harasser. **See Appendix Two** for additional resources.

## **8. Malicious Allegations**

- 8.1 During the procedure it may become apparent that a complaint of harassment or bullying has been made maliciously. This will potentially be deemed to be a disciplinary offence under the Clergy Discipline Measure (2003).

## **9. Third Party Harassment**

- 9.1 The Diocese has an obligation to take reasonable practicable steps to protect Office Holders from harassment by third parties.
- 9.2 Such reasonably practicable steps may include (list not exhaustive):
- Where possible and after legal advice, banning or restricting visitors who have harassed an Office Holder
  - Reporting and stopping use of a particular third party supplier/contractor where harassment is believed/known to have taken place
  - Reporting the incident to the police
  - Take steps with telecom provider to ban calls from a repeatedly abusive caller
  - Supporting the Office Holder through taking out an injunction against the perpetrator

## **10. What to do if I have been accused of bullying or harassment?**

- 10.1 If you have been accused of bullying or harassing a colleague the matter will be thoroughly investigated. It is important to consider that perception is key in bullying and harassment and it may well be that your actions have been unintentional but have had an impact on the individual or groups of people.
- 10.2 The Diocese will ensure a fair procedure is followed and that you receive support.
- 10.3 It is important you talk to your Archdeacon about the alleged behaviour. You may also wish to have a supporter who will help you through this time. If required, follow up training or coaching can be provided to prevent recurrence.

## **11. Supporters**

- 11.1 There are a number of supporters who you can approach to discuss your situation. These individuals can be called upon if you are experiencing bullying and harassment or if have been accused of this. Details are available from Human Resources, your Archdeacon, or from a contact list on the website. They will liaise with Human Resources and / or the Archdeacon as outlined on the Supporters Contact List and Roles document.

## Appendix One: Suggested Actions

I am being bullied or harassed by?	Action – Initial	Next step
Another Office Holder	<ul style="list-style-type: none"> <li>○ If you feel comfortable you could approach the perpetrator yourself either alone, with a clergy colleague or with the Archdeacon</li> <li>○ You may go straight to the formal procedure if you prefer</li> <li>○ You may wish talk to your Union Representative, Human Resources or a colleague to shape your approach</li> </ul>	<ul style="list-style-type: none"> <li>○ Formal procedure – use Grievance Procedure</li> </ul>
Another Office Holder who is in a leadership position over me	<ul style="list-style-type: none"> <li>○ As in the example above but you may wish to consider discussing the issues with other relevant clergy or employees of the Diocesan Board of Finance. For example, if you are a Curate in Training you may wish to discuss with the Training Officer</li> </ul>	<ul style="list-style-type: none"> <li>○ Formal procedure – use Grievance Procedure</li> </ul>
An employee or Office Holder with another organisation, for example, a school governor, head teacher, local community leader	<ul style="list-style-type: none"> <li>○ This is harassment or bullying by a third party. The Diocese will take steps to protect you from it once aware of it</li> <li>○ The formal grievance procedure cannot be used with them. However, if you feel able you can explain that their behaviour is unacceptable</li> <li>○ If you feel unable to do this or it is</li> </ul>	<ul style="list-style-type: none"> <li>○ If the situation is not resolved and you feel the Diocese has not provided protection you could use the Grievance Procedure naming the Office Holder who has failed to support you</li> </ul>

	not successful, approach your Archdeacon for support	
An employee of the Diocese	<ul style="list-style-type: none"> <li>○ Complain to the director of the relevant department or the Diocesan Secretary</li> </ul>	<ul style="list-style-type: none"> <li>○ If this does not lead to a resolution you may raise with your Archdeacon</li> </ul>
A Church Member – including PCC members	<ul style="list-style-type: none"> <li>○ The principles of the informal stage can be used. You should discuss with the Archdeacon and it may be appropriate to ask the Archdeacon to approach the church member</li> </ul>	<ul style="list-style-type: none"> <li>○ Depending on the nature of the bullying or harassment, legal advice might be sought through the Diocese</li> </ul>
A member of the public	<ul style="list-style-type: none"> <li>○ The principles of the informal stage can be used. You should discuss with the Archdeacon and it may be appropriate to ask the Archdeacon to approach the person. Personal safety should be considered</li> </ul>	<ul style="list-style-type: none"> <li>○ Depending on the nature of the bullying or harassment, legal advice might be sought through the Diocese. Contact may be made with the police</li> </ul>
Parish Employees or related projects	<ul style="list-style-type: none"> <li>○ Complain to the employer and ask them to deal with the issue under their procedures</li> </ul>	

## Appendix Two: Additional Resources

Function	Service provided	Contact details
Senior Clergy	If you are experiencing bullying or harassment you may wish to approach an Office Holder who is more senior than yourself and can advise and intervene. This could be your Area Dean or Archdeacon.	Available in directory
Dignity at Work Supporters	These are colleagues who you can discuss your situation with. If you wish Human Resources or your Archdeacon can put you in contact with an appropriate person and will take account of your preferences in terms of gender or churchmanship. If you prefer, you can contact a Supporter directly.	List of supporter available on website or from: Alan Brown, Human Resources 0161 828 1462 <a href="mailto:alanbrown@manchester.anglican.org">alanbrown@manchester.anglican.org</a>
Trade Union	If you are a trade union member, your trade union representative will be able to provide advice and support.	Contact your union direct
Inter Diocesan Counselling Service	This is a self referral service and available if you have difficulty on a personal level with your experience.	Detail on website
Human Resources	If you wish to discuss how to approach a situation HR can point you in the right direction. HR can also arrange for an Occupational Health referral if you feel you require medical support in recovering from bullying or harassment. HR does also advise the Bishops and Archdeacons and whilst respecting your confidentiality there will be some limitations in the scope of this.	Alan Brown, Human Resources 0161 828 1462 <a href="mailto:alanbrown@manchester.anglican.org">alanbrown@manchester.anglican.org</a>
The Advisory, Conciliation and Arbitration Service (ACAS)	ACAS provide impartial advice on employment issues.	Helpline: 0845 47 47 47 <a href="http://www.acas.org.uk">www.acas.org.uk</a>

Mediation	It may well be that mediation is required following action under this policy and procedure. Where this is considered appropriate mediation will be sourced by the Archdeacon with assistance from Human Resources.	Alan Brown, Human Resources 0161 828 1462 <a href="mailto:alanbrown@manchester.anglican.org">alanbrown@manchester.anglican.org</a>
-----------	--	--