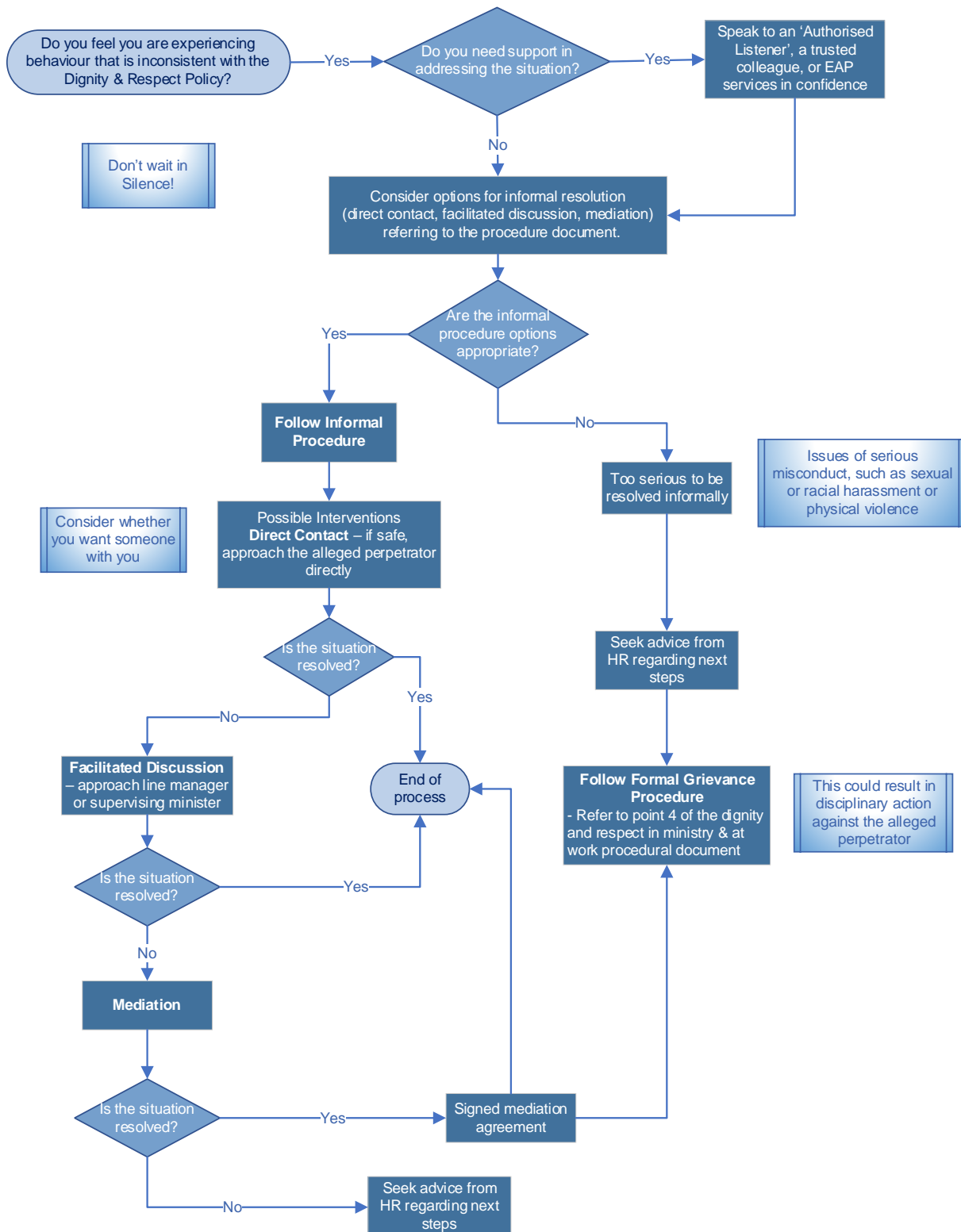


# Appendix E- 'At a glance' Process for the Dignity & Respect in ministry and at work procedure and procedural document



# Dignity and Respect in Ministry and at Work Procedural Document

## Introduction and terms used in this procedure

This procedure can be used by everyone in the Diocese of Oxford, be it ODBF/ODBE/PCC employee, officeholder, lay leader, or a volunteer who has experienced, or in certain situations, witnessed behaviour which breaches the principles of the Dignity and Respect in Ministry and at Work Policy. The following terms are used to describe the individuals involved:

- **Complainant/Alleged Victim** – the individual/s who is/ are raising the allegation/s as they believe they have suffered a form of bullying, harassment, or lack of respect against another individual or individuals for the behaviour they have received.
- **Alleged Perpetrator** – the individual/s who has been accused of bullying, harassment or treating someone unfairly and has an allegation/s raised against them.
- **Witness** – the individual/s who has witnessed the behaviour of one individual towards another (or others) which could be described as bullying, harassment or lack of respect and provides factual evidence to substantiate the allegation.
- **Authorised Listener** – a trained volunteer who has been identified by the Diocese as gifted and skilled in listening to your concerns, empathising and signposting in confidence who is independent and impartial.
- **Line Manager / Supervising Minister** – the person who the alleged victim reports for work purposes.
- **Mediator** – a professionally trained individual who has been identified by the Diocese of Oxford or a Parish to provide a service in this area. Bridge Builders trained mediators work in groups of two.
- **Investigator** – an independent person who is given the responsibility to investigate the complaint formally.

## 1. How to raise a concern

You can raise a concern by discussing it with an Authorised Listener, a trusted colleague or a staff member of the Employee Assistance Programme (EAP) in confidence to consider your options and decide the right course of action. The approaches can be the:

- Informal procedure – see section 2 below.
- Formal procedure – see section 3 below.

Where possible and appropriate we will seek to resolve concerns informally.

## 2. Informal procedure

**Informal direct contact** (individual approaches the alleged perpetrator directly). If you are being harassed or bullied, consider whether you feel able and safe to raise the problem informally with the person responsible (alleged perpetrator). You may want to have a conversation with the alleged perpetrator to:

- Inform the individual what behaviour and/ or actions are found unwelcome, offensive or make you feel uncomfortable;
- Request that the behaviour stops with immediate effect;
- Make them aware of the Dignity & Respect in Ministry and at Work policy, and how the allegation/ complaint will be progressed if the behaviours continue;

It is advisable that you note the conversation highlighting the time, date, venue and what you discussed and agreed. This can be shared with your manager/ HR should further action be required. For further guidance and support you may want to go back to the authorised listener should you feel it necessary.

**Facilitated discussions** - If you are not able or do not feel safe to make direct contact, please speak to your line manager/supervising minister for them to arrange/ conduct an informal facilitated discussion. In cases when the line manager/ supervising minister is the alleged perpetrator then go to their line manager/supervising minister.

Facilitated discussions are future-focused. They provide a voluntary process in which a facilitator (normally the line manager/ supervising minister) guides participants in reaching acceptable solutions to the issues they face. The process aims neither to erase what has happened nor to determine who is right or wrong. It provides individuals with an opportunity to step back and engage in a respectful and confidential discussion and where they can, for example:

- Re-establish trust and engage in meaningful communication
- Speak freely and openly about their needs, interests and opinions and understand the other's point of view
- Propose viable and lasting solutions to a conflict
- Negotiate the terms of a verbal agreement or achieve a common understanding

Once parties have agreed to proceed with a facilitated discussion, a time, date, and venue for the meeting will be communicated. Consideration should be given to the suitability and privacy of the venue. Participants will be encouraged to think about what in particular they will discuss at the meeting. The facilitator's goal is to ensure that the participants are ready to listen, understand and collaborate.

After the ground rules are set to establish a respectful environment, the parties have an opportunity to share their experiences without interruption. Next, core issues are defined and prioritised and the parties engage in a dialogue, working through the issue/s. Each issue is explored, and the parties are encouraged to be curious to understand the issues fully, including from the other person's perspective, and be both positive and creative in achieving resolution. The facilitator will assist the parties in their efforts to hold a respectful and productive conversation. The agreed solutions will be written down, signed by and shared with each party and filed on each individual's HR/blue file, processed in accordance with the Data Protection Policy.

As a facilitated discussion is an informal process, aimed to achieve informal resolution, there is no right to be accompanied, however, in some instances, it might be possible when agreed by all parties that a person may be accompanied by someone who will support them through the process.

**Informal professional mediation** is a completely voluntary and confidential form of alternative dispute resolution. It involves an independent, impartial trained person/s helping two or more individuals or groups to reach a resolution that is acceptable to everyone. Mediation is time-limited (typically lasting one day). The overriding aim of workplace mediation is to restore and maintain the professional relationship wherever possible. This means the focus is on working together to go forward, not determining who was right or wrong in the past. If the Bridge Builder model is used two mediators will be involved.

Before mediation, the complainant will meet with the appointed mediator/s, who is/ are likely to arrange to meet with both parties individually, allowing both parties to explore any concerns about the process. During this time, the mediator/s will explain their role and how the mediation session works.

The mediator/s will act impartially to help the parties involved, talk about their situation, exchange concerns, and develop ideas about how to move forward towards resolution. Their role is to hold the boundaries of the mediation by asking questions that help to uncover underlying problems, assist the parties to understand the issues so that each party has an opportunity to speak and express their concerns and help them to clarify the options for resolving their difference or dispute.

The mediator/s creates the conditions for dialogue by facilitating a safe environment where all parties can communicate and work towards the restoration of an effective working relationship. Where the mediator has concerns about a participant in the mediation or feels that as the mediation is progressing that the situation is 'not mediatable', they will draw the meeting to a close.

If agreements are made, the mediator/s will write these down and give a copy to each participant to sign and keep. This signed agreement is not legally binding, but rather an indication of the goodwill and commitment each individual has put into the mediation process. Furthermore, if the problem persists and this continues to affect the individual/s concerned, further action may still have to be taken. This may include revisiting the original mediation agreement or moving to the formal grievance procedure. If no agreement is reached, the matter may also proceed to the formal procedure.

As mediation is an informal process, aimed to achieve informal resolution, there is no right to be accompanied, however, in some instances, it might be possible when agreed by all parties that a person may be accompanied by someone who will support them through the process.

The HR department retains a list of trained mediators who are provided by external providers such as Bridge Builders. Line Managers/ supervising ministers may access the services of a trained mediator/s via contacting a member of the HR team.

### **Note on informal interventions**

It is important to note that not every option within the informal procedure may be appropriate and as such, each option does not necessarily have to be followed. As a general rule, the wishes of the complainant/ alleged victim will be respected, even if they decide to request that they do not want to pursue the allegation or take any further action. An exception to this is if the concern about the practice, performance or behaviour relates to the safeguarding of children or adults who may be vulnerable. In such situations, the Diocesan Safeguarding Adviser should be informed, and it will be investigated according to the national Church's procedures for allegations ([Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers](#)).

If after taking forward action under the informal procedure, the behaviour continues or escalates, the complainant/alleged victim can refer their complaint to the relevant formal procedure. However, in circumstances where the behaviour is perceived as too serious to be dealt with informally, the relevant formal procedure should be considered.

### 3. Formal procedure

In cases where there is a repetition of the behaviour, or it does not cease after informal action, or where the behaviour is perceived as too serious to be dealt with informally, then the relevant formal procedure should be instigated.

Although the relevant formal procedure varies in line with the category the alleged perpetrator falls within, the principles of how the formal investigation should be carried out are consistent. The following principles should be followed in any formal investigation of allegations under the Dignity and Respect in Ministry and at Work procedure:

- All instances of bullying, harassment, or lack of respect that are reported will be investigated promptly, treating all allegations with discretion and sensitivity.
- Reports and allegations should be raised as soon as possible after the incident has occurred; ideally within three months of the date of the last alleged incident. It is recognised that in some cases the person/s may feel unable to raise it at the time of the incident and may only do so months or even years after. Although the investigation is likely to be more difficult due to the time-lapse and there could be a limitation on what can be done in such cases, historical complaints will be handled sensitively and seriously.
- All parties involved in an allegation will be treated fairly, consistently, with respect and no pre-judgements will be made.
- During formal investigation and proceedings, the parties will be provided with options of support for their emotional wellbeing.
- All the parties (complainant/alleged victim, alleged perpetrator and witnesses) must treat each other and those involved with resolving the allegation/s with dignity and respect throughout the process, acknowledging that the concerns being investigated could be sensitive, emotive and difficult for those involved.
- The identity of the complainant/ alleged victim will need to be disclosed to the alleged perpetrator at the beginning of the formal procedure (except for special circumstances). Additionally, the alleged perpetrator will need to be given the full details of the complaint for it to be fairly and formally investigated.

**Please note:** We recognise that the complainant/ alleged victim may be from any of the categories listed in the table below. However, this table illustrates the formal procedure to be followed dependent upon which category of person the **alleged perpetrator** falls within:

<b>ALLEGED PERPETRATOR</b>	<b>FORMAL PROCEDURE TO BE FOLLOWED</b>
ODBE/ODBF employees/volunteers	The <a href="#">ODBE</a> or <a href="#">ODBF Grievance Procedure</a>
All licenced clergy on Common Tenure or Freehold	<a href="#">Grievance Procedure Code of Practice</a> 2009 and <a href="#">Clergy Discipline Measure</a> 2003 if appropriate
Clergy holding an EPMM (Extra Parochial Ministry Measure) licence (Chaplains)	The Grievance Procedure of the employer and <a href="#">Clergy Discipline Measure</a> 2003 if appropriate
Licensed Lay Ministers (LLMs) who hold a licence ( <i>also known as readers</i> )	The <a href="#">Grievance Procedure for Licensed Lay Ministers</a>
PCC employees/volunteers	The PCC employment/volunteer procedure/s or the <a href="#">Discipline and Grievances at Work – The ACAS Guide</a>

ALLEGED PERPETRATOR	FORMAL PROCEDURE TO BE FOLLOWED
Churchwardens and PCC elected members (e.g., <i>Secretary, Vice-Chair, Treasurer</i> )	Based on Canon E and references to <a href="#">Churchwardens Measure 2001</a> , and several other legal provisions regarding the conduct of church officers, follow an effective process to handle a complaint of this nature.
Contractors/suppliers/providers of services	Refer to the contract for services or service level agreement documents.
Layperson (e.g., <i>member of the congregation</i> )	There is no formal procedure, however, it will be dealt with sensitively with investigation-built in.

The next part of the formal procedure (stage 2) would be in circumstances whereupon following the relevant formal procedure (grievance) the allegations were partially or fully upheld. It may then be necessary to take action against the perpetrator using the relevant disciplinary procedure appropriate to the category that the person fits within.

### Primacy

Where the alleged perpetrator holds two separate roles e.g., an ODBF employee and a Churchwarden, the formal procedure to follow depends on which role they were undertaking when behaviour breached this Policy.

## 4. Sources of further support and advice

### Support

- The **Employee Assistance Programme (EAP)** with Health Assured offers a range of confidential support services to all clergy and ODBF/ODBE employees within the diocese, designed to help you deal with personal and professional problems that could be affecting their mental health and wellbeing.
  - The free 24-hour confidential helpline: 0800 028 0199. Health assured website can be accessed [here](#).
  - Alternatively, you can download 'My Healthy Advantage' which will prompt you for the employer code. A member of the HR team will be able to provide you with the login details and/or the employer code.
- The **Parish Toolkit** provides PCC's within the diocese with advice and guidance on the employment lifecycle available [here](#).
- **Safeguarding** in the Diocese of Oxford website [here](#):
- Safe Spaces – Victim Support helpline
- The society of Mary and Martha at Sheldon, (caring for people in ministry): <https://www.sheldon.uk.com/>

### Advice

The following external websites have useful information:

- ACAS (the Advisory, Conciliation and Arbitration Service): <https://www.acas.org.uk/>
- Bully Online: <https://www.bullyonline.org/index.php>
- National bullying helpline: <https://www.nationalbullyinghelpline.co.uk/>
- Bullied & abused Lives in Ministry: <https://www.balmnet.co.uk/>
- Unite the Union: <https://unitetheunion.org/>