

Dignity at Work Policy

Diocese of Guildford

Working Together to Prevent Bullying & Harassment

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AMENDMENTS

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PART 1: Dignity at Work Policy

1. Statement of Commitment

As the Church of England, we are called to create a loving community that models Christian values, in which all are able to flourish. The Bible places on us all the responsibility “A new command I give you: Love one another. As I have loved you, so you must love one another. By this everyone will know that you are my disciples, if you love one another” John 13:34-35.

However, we are all less than perfect. Occasions arise where people, for a variety of reasons, sometimes unknowingly, use behaviour that is unacceptable. Any abuse, whether bullying or harassment – however rare – will not be tolerated within the Diocese of Guildford.

All complaints of harassment, bullying, or victimisation will be taken seriously and thoroughly investigated with care and sensitivity for all parties involved and appropriate action taken.

2. Introduction¹

Harassment, bullying and victimisation are forms of discrimination, which are not only unlawful, but can affect the health, ministry and work performance of individuals. Such discrimination in turn can also affect the ministry that the Diocese is able to offer to those it exists to serve.

All individuals have the right to be treated with dignity and respect whilst at work and should be able to work without fear of harassment and bullying.

We have included in the scope of this policy all those who represent the Diocese of Guildford in different capacities. We are aware that many included in the scope are parish-based and are part of separate legal bodies to the Diocese, however we call on each parish to endorse and accept the principles of this policy, that bullying and harassment are unacceptable while setting in place their own procedures, where these may not already exist, to address any unacceptable behaviour.

Wherever an allegation of bullying and harassment involves a child or vulnerable adult, the case will be dealt with by the Safeguarding team through the [Safeguarding Policy](#). In allegations where there may be wider safeguarding implications or concerns the safeguarding team may be consulted.

3. Scope

The Dignity at Work Policy applies to those engaged in all forms of work and ministry in the diocese. It covers bullying, harassment and victimisation of and by:

- Senior clergy (Area Deans, Cathedral Dean, Archdeacons, Suffragan Bishop and the Diocesan Bishop) with pastoral responsibility for the clergy within the Diocese

¹ This policy is based on the Diocese of Derby Dignity at Work Policy and the Church of England guidance on [How we relate to one another](#).

- Clergy and Licensed Lay Ministers (LLMs) of the Diocese.
- Other Laity of the Diocese, including, but not limited to Deanery Chairs, Treasurers, Churchwardens, Trustees, and all those who faithfully serve the church (but are not ordained), volunteers and members of congregation.
- Employees of Parishes and Guildford Diocesan Board of Finance (DBF).

4. Unacceptable Behaviour

Any behaviour that could potentially undermine an individual’s dignity and respect is regarded as unacceptable. If not challenged, it may escalate and lead to significant difficulties for all concerned.

Any behaviour involving a misuse of power, which an individual or group knows, or ought reasonably to know, that could have the potential effect of offending, humiliating, intimidating or isolating an individual or group, should be regarded as unacceptable.

Unacceptable behaviour is considered bullying or harassment when it causes actual harm or distress to an individual, normally but not exclusively, after a series of incidents over a period of time.

The following are definitions and explanations of “unacceptable behaviour”, including bullying, harassment, victimisation and spiritual abuse:

4.1. What is Harassment?

The legal definition of harassment is set out in the **Equality Act (2010)**. Harassment is defined as conduct based on the **Protected Characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race**, (which includes colour, nationality and ethnic or national origins), **religion and belief, sex, and sexual orientation**, which is unreciprocated or unwanted and:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the individual responsible for the conduct.

Harassment is unwanted conduct affecting the dignity of an individual in the workplace related to any protected characteristic of the individual and may be persistent or an isolated incident. The point is that the actions or comments are viewed as demeaning and unacceptable to the recipient. A single incident can be harassment if it is sufficiently serious.

Conduct may be harassment, whether or not the individual behaving in that way intends to offend.

Different people find different things acceptable, and everyone has the right to decide what is acceptable and to have their feelings respected by others. Behaviour that any reasonable person would realise would be likely to offend will be harassment without the recipient having to make it clear in advance that behaviour of that type is not acceptable eg, inappropriate touching. In some cases, it may not be clear what behaviour is unwelcome, eg, "banter" flirting or asking someone for a drink after work. In these cases, first-time conduct which unintentionally causes offence will not be

harassment, but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

Harassment, including sexual harassment, may amount to a criminal offence under the **Protection from Harassment Act 1997** and may include referral to the police. Allegations of sexual assault will always be referred.

Racial harassment

Racial harassment, or racism, as defined by the **Stephen Lawrence Inquiry (1999)** is an incident or a series of incidents intended or likely to intimidate, offend or harm an individual or group because of their ethnic origin, colour, race, religion or nationality, and a racist incident is any incident that is perceived to be racist by the victim or any other person. Such behaviour may include:

- Derogatory or degrading comments and name calling
- Verbal threats, insults, and racist gestures and jokes that mock the person's racial characteristic
- Display of racially offensive material
- Exclusion from normal workplace conversation or activities
- Physical attack
- Encouraging others to commit any such acts

4.2. What is Bullying?

Bullying is a general form of harassment that is not based on race, sex, or any of the equality characteristics. It is described by [ACAS](#) as being characterised by offensive, intimidating, malicious or insulting behaviour or abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient with the result that they feel undermined, humiliated or injured.

How can bullying be recognised?

Bullying is most easily identified when it is continuous, frequent, repetitive and part of an overall pattern. However, some abuse is serious enough to be recognised even if the behaviour occurred only once and is, therefore, defined as bullying. However, bullying behaviour is not normally identified by what has been done to the recipient, but by the negative impact it has on the recipient. 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.

Examples of bullying 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 sabotage of work or actions

- deliberately withholding information or providing incorrect information.
- overloading with work/reducing deadlines without paying attention to any protest
- displays of offensive material
- use of e-mails to reprimand, insult or otherwise inform someone of their apparent failing, either to the individual or to third parties
- repeatedly shouting or swearing in public or in private
- spreading malicious rumours to third parties
- public humiliation by constant innuendo, belittling and 'putting down'
- personal insults and name-calling
- aggressive gestures, verbal threats and intimidation
- persistent threats about security
- making false accusations
- aggressive bodily posture or physical contact
- talking/shouting directly into someone's face
- direct physical intimidation, violence or assault

The most serious incidents might result in:

- creating an unsafe working 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

On the other hand, 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.

4.3. What is Victimisation?

[ACAS](#) describes victimisation as when someone is treated less favourably as a result of being involved with a discrimination or harassment complaint. Victimisation means “suffering a detriment” because you've done or intend to do take action related to discrimination law including:

- making a complaint of discrimination or harassment
- supporting someone else's complaint
- gathering information that might lead to a complaint
- acting as a witness in a complaint
- saying something or giving evidence that does not support someone else's complaint

Examples of victimisation include:

- being labelled a troublemaker
- being left out
- not being allowed to do something

Victimisation is a specific type of discrimination under the **Equality Act 2010**.

4.4. What is Spiritual Abuse²?

As the Church of England, we need to be aware of the potential for spiritual abuse, which is unique to our context, and is a form of emotional and psychological abuse.

Spiritual abuse may occur on its own, or alongside other forms of abuse, such as physical, sexual or domestic abuse. It may be used to legitimise or facilitate other forms of abuse. Spiritual abuse shares some of the hallmarks of bullying and harassment, including intimidation, manipulation and inducing fear. However, what makes this distinct are the elements associated with religious belief including coercion through religious position, membership of the religious community, scripture, biblical discourse and spiritual threats.

The key aspect of spiritual abuse is its religious context in which the abuse occurs and the ways in which people are controlled through the misuse and abuse of scripture, divine position, spiritual threats and fear of spiritual consequences and the suggestion of God as complicit. All or some of these features can be used to control or coerce.

Often, but not always, spiritual abuse is a safeguarding issue involving children or vulnerable adults.

5. Impact of bullying and harassment

Bullying and harassment harms the recipients. The effects are wide-ranging. In the workplace employee engagement and performance is dependent on there being a positive working environment in which staff feel valued and respected, which can be eroded where bullying and harassment occurs. Those who are bullied or harassed by a more senior colleague are likely to avoid seeking help or guidance from them to avoid future incidents, which can compromise their work. Those who experience bullying and harassment can be demotivated, and have loss of confidence, anxiety and self-doubt. Bullying increases the risk of psychological distress and mental health problems, both in the short and long term. Women who experience sexual harassment at work report it undermines their confidence as professionals and can negatively affect their careers.

In the rare instances of bully and harassment there can be also significant costs for the diocese and parishes, arising from higher turnover and increased sickness absence, lower productivity, costs of legal action and compensation. There is also the potential for reputational damage.

6. Confidentiality

All matters associated with bullying and harassment will be treated with absolute confidentiality and no action will be taken without the consent of the person who feels they are the victim, unless taking no action places that person or others at risk. However, if, during the course of any investigation criminal activity is alleged or suspected, the Diocese is compelled by law to inform the relevant authorities. This may require the Diocese to suspend any investigation of its own pending the outcome of any criminal investigation.

² Further information is available in the [CofE Safeguarding E-Manual](#)

7. Standards of Behaviour

It is expected that those with leadership or pastoral responsibilities in the Diocese, whether clergy or employees, recognise the importance of setting a good example, and that they

- are aware that what is intended as strong leadership can sometimes tip over into bullying behaviour
- acknowledge that a culture based on the principles of consultation and discussing problems is less likely to encourage bullying and harassment than one where there is an authoritarian leadership style
- undertake to participate in training provided in support of this policy.

The Church of England also sets out the standards of behaviour expected for clergy in [Guidelines for the Professional Conduct of the Clergy](#).

To support the development and maintenance of high standards of behaviour, all new clergy, LLMs and Church Wardens, and DBF employees will be briefed on this policy as part of their induction and will be required to undertake anti-bullying and harassment training alongside other mandatory training. PCCs are responsible for briefing new PCC members and parish employees.

8. Informal Support and Conversation

It is important that support is offered informally at the earliest opportunity to someone who may be experiencing bullying and harassment. An initial conversation at this stage could prevent a worse situation developing and avoid the need to enter into more formal procedures.

All clergy, employees and laity within the Diocese should know to whom they should turn if they feel they have been the victim of harassment or bullying.

Clergy, employees or lay persons who would like a confidential discussion should contact the Chair of the PCC, Archdeacon, Head of People, or Diocesan Secretary as appropriate in the first instance.

PART 2: Procedure for dealing with Bullying and Harassment

On the whole, it is safest to take the view that if a person complains that they are being bullied or harassed, then they have a grievance, which should be dealt with regardless of whether or not their complaint accords with a standard definition of bullying and harassment.

Wherever a report of bullying and harassment involves a child or vulnerable adult, the case will be dealt with by the Safeguarding team through the [Safeguarding Policy](#).

9. Informal Stage

It may be possible to resolve matters informally. The perpetrator may not know that their behaviour is unwelcome or upsetting. An informal discussion may help them to understand the effects of their behaviour and to agree to change it. The person being bullied or harassed may feel able to approach the person themselves, or with the help of someone in human resources, a manager, or another employee or clergy. Initially the person being bullied or harassed, or their representative should tell the person who is carrying out the bullying or harassment what behaviour is considered offensive and unwelcome and say that they would like it to stop immediately. It should also be explained that, if the behaviour continues, a formal complaint will be made to a senior member of clergy, manager or human resources. A note of the date and what was said and done should be kept. This will provide evidence if the unacceptable behaviour continues, and the person being bullied or harassed decides to make a formal complaint.

Alternatively, an initial approach could be made on behalf of the person being bullied or harassed.

10. Mediation and Restorative Justice

It is recommended that the use of mediation and restorative justice is considered at an early stage before entering formal procedures. Both are positive means of addressing issues of bullying and harassment. Whenever possible this route should be used as it is more likely to result in a successful resolution of the issues.

Mediation is about resolving disagreements and disputes. A neutral third party works with those in dispute to help them to reach an agreement. It is a voluntary process and to be successful the participants have to want it to work.

Restorative justice aims to resolve conflict and repair harm. A neutral third party encourages those who have caused harm to acknowledge the impact of what they have done and give them an opportunity to make reparation. For those who have suffered harm, it offers the opportunity to have this acknowledged and amends made.

Further details on how to address complaints of bullying and harassment through mediation and restorative justice are set out in **Mediation Policy**.

11. Formal Stage

If the informal stage does not resolve matters, or the situation is too serious to be dealt with informally, the person being bullied or harassed can make a formal complaint by using the appropriate Diocesan procedure. Advice should be sought from the Head of People about the most appropriate procedure to follow and where it is considered that a complaint might be made under the Clergy Discipline Measure advice will be sought from the Registrar.

Formal Procedures

There are a number of different procedures that may apply in situations of alleged bullying and harassment. **Appendix A** gives more details for the most common situations that may arise.

When both the perpetrator and the victim are clergy persons or licensed lay ministers, complaints of bullying or harassment should be brought by the victim under the [Clergy Grievance Procedure](#) as part of the **Ecclesiastical Offices (Terms of Service) Regulations 2009**.

When only the perpetrator is a clergy person, it may be more appropriate for the victim, or an Archdeacon with the victim's consent, to either make a complaint under the **Diocese of Guildford Complaints Policy** or if serious under the [Clergy Discipline Measure 2003](#).

When the victim is an employee, complaints of bullying or harassment may be dealt with under the **Grievance Procedure** as set out in the Employee Handbook either for the relevant parish or Guildford Diocesan Board of Finance (DBF). When the perpetrator is an employee, upheld complaints will then be addressed under the **Disciplinary or Capability Policies**, as set out in the Employee Handbook either of the relevant Parish or DBF. When the victim is a parish employee then the Grievance Policy for that parish should be followed.

Appendix B sets out the procedure for addressing cases of bullying and harassment by members of the laity holding positions in the church.

It is expected that most parishes will have their own complaints procedures to address issues within their parish. Where a parish does not have their own procedure then **Appendix B** should be followed as an interim measure, while PCC's consider designing their own complaints policy using the **Diocesan Complaints Policy** as a model.

12. Support for those making harassment or bullying claims

The Diocese will provide protection against victimisation to anyone making claims of harassment or bullying. Anyone who seeks to victimise those raising such concerns may be subject to disciplinary measures according to Diocesan policy.

On a case-by-case basis, counselling may be offered to survivors of bullying and harassment.

13. False Accusations

False 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 clergy this may be a complaint under the **Clergy Discipline Measure**, or for staff addressed through the relevant **Disciplinary Policy** for DBF or the relevant parish. 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.

APPENDIX A: Matrix of Complaint Handling Procedures for Different Situations

Wherever a report of bullying and harassment involves a child or vulnerable adult, the case will be dealt with by the Safeguarding team through the [Safeguarding Policy](#).

Situation: Complaints from Clergy and LLMs	Appropriate Procedure	Person Handling the Complaint	Action should complaint be upheld
Member of clergy or LLM makes a complaint against another member of the clergy or LLM.	Clergy Grievance Procedure	Archdeacon or another person appointed by the Bishop will carry out an investigation.	Discussion with Diocesan Registrar to determine whether a complaint should be brought under CDM.
Member of clergy or LLM makes a complaint against an employee of the DBF ³ .	Diocesan Complaints Policy	Archdeacon will raise the matter with the Diocesan Secretary to enable an investigation	Employee faces disciplinary action under DBF Disciplinary or Capability Policy.
Member of clergy or LLM makes a complaint against a parishioner	Appendix B	Archdeacon or another person appointed by the Bishop will carry out an investigation.	Bishop takes such action as permitted by ecclesiastical legislation
Member of clergy or LLM makes a complaint against an employee of the parish	Parish's complaints procedure (or Appendix B)	The Chair of the PCC will commission an investigation.	Employee faces action under Parish disciplinary procedure.

Situation: Complaints from DBF employees	Appropriate Procedure	Person Handling the Complaint	Action should complaint be upheld
DBF employee makes a complaint against another DBF employee.	DBF Grievance Procedure	Diocesan Secretary (unless the complaint is against the Diocesan Secretary in which case the Bishop will identify another suitable person to investigate).	Employee faces action under DBF Disciplinary and Capability Policy.
DBF employee makes a complaint against a member of the clergy or LLM.	Dealt with initially under the DBF Grievance Procedure . If upheld, then could transfer to the Clergy Discipline or Grievance procedure .	Diocesan Secretary will raise the matter with the relevant Archdeacon to enable an investigation.	Discussion with Diocesan Registrar to determine whether a complaint should be brought under Clergy Discipline Measure.
DBF employee makes a complaint against an employee of a parish.	Dealt with under the Parish complaints	The Chair of the PCC will commission an investigation.	Employee faces action under Parish disciplinary procedure.

³ Guildford Diocesan Board of Finance (DBF)

	procedure (or Appendix B).		
DBF employee makes a complaint against a parishioner	Appendix B	Archdeacon or another person appointed by the Bishop to carry out an investigation.	Bishop takes such action as permitted by ecclesiastical legislation.

Situation: Complaints from parish employees	Appropriate Procedure	Person Handling the Complaint	Action should complaint be upheld
Employee of parish makes a complaint against a member of clergy or LLM	The Diocesan Registrar should be consulted and if sufficiently serious will be dealt with under the Clergy Discipline Measure otherwise the Parish's complaints procedure (or Appendix B).	Archdeacon or another person appointed by the Bishop to carry out an investigation. If under the Clergy Discipline Measure, the Archdeacon or another person appointed by the Bishop will carry out an investigation. If via the Parish's Complaints procedure then the PCC will commission an investigation.	Further discussion with Diocesan Registrar to determine whether a complaint should be brought under CDM. If the matter does not qualify as CDM then the bishop takes such action as permitted by ecclesiastical legislation.
Employee of parish makes a complaint against a member of DBF	Diocesan Complaints Policy	Diocesan Secretary (unless the complaint is against the Diocesan Secretary in which case the Bishop will identify another suitable person to investigate).	Employee faces action under DBF Disciplinary and Capability Policy.
Employee of parish makes a complaint against another employee of the parish	Dealt with under the Parish's complaints Procedure (or Appendix B)	Person appointed by the PCC carries out an investigation.	Employee faces action under Parish disciplinary procedure.
Employee of parish makes a complaint against a member of the laity	Dealt with under the Parish complaints procedure (or Appendix B)	Person appointed by the PCC carries out an investigation.	Bishop takes such action as permitted by ecclesiastical legislation.

Situation: Complaints from laity, primarily church wardens, PCC members or volunteers	Appropriate Procedure	Person Handling the Complaint	Action should complaint be upheld
Member of the laity makes a complaint against a member of the clergy or LLM.	The Diocesan Registrar should be consulted and if sufficiently serious will be dealt with under the Clergy Discipline Measure otherwise the Parish complaints	Archdeacon or another person appointed by the Bishop to carry out an investigation or the PCC appoints a suitable person to investigate.	Further discussion with Diocesan Registrar to determine whether a complaint should be brought under CDM. If the matter does not qualify as CDM then the bishop takes such action

	procedure (or Appendix B).		as permitted by ecclesiastical legislation.
Member of the laity makes a complaint against an employee of a parish.	Parish's complaints procedure (or Appendix B).	The PCC appoints a suitable person to investigate.	Employee faces disciplinary action under the Parish's Disciplinary Policy.
Member of the laity makes a complaint against a DBF employee.	Diocesan Complaints Policy	Archdeacon will raise the matter with the Diocesan Secretary to enable an investigation.	Employee faces disciplinary action under DBF Disciplinary or Capability Policy.

APPENDIX B: Outline Procedure for Dealing with Bullying and Harassment Complaints where there is no existing complaints procedure

It is the Diocese's policy to use existing procedures to deal with matters of bullying and harassment whenever possible. The appropriate procedures are identified in the table in **Appendix A**.

When the complaint is against a church warden, a PCC member or member of the congregation, the circumstances are outside the remit of existing procedures and the process set out in this Appendix should be followed.

All parishes are strongly encouraged to have their own complaints policy and procedure. In circumstances where the complaint is within the context of a parish, and the parish does not have an existing complaints policy then the procedure set out in this appendix should be followed.

Complaints

The first step when receiving a formal complaint of bullying or harassment is to seek advice from the Archdeacon as to which procedure applies. If attempts have not already been made to resolve matters informally or use mediation, then the Archdeacon will explore with those involved whether this is a way forward prior to implementing any formal procedures.

If the complaint is from a member of the clergy or LLM, then the Archdeacon will determine whether the issue can be addressed through mediation or whether the complainant is seeking justice and vindication. If it is the latter, then an appropriate person should be appointed to investigate.

If the complaint deals with parish matter, for example, a complaint by a church warden, PCC member or parish employee against someone else within the parish, and the parish does not have its own complaints policy, then the PCC should use the procedure outlined in this appendix ensuring legal advice is taken by the PCC.

Investigation

When it is decided that this process should apply then an investigation should be undertaken by either an appropriate person appointed by the Bishop, if the complainant is a member of clergy, or an appropriate person appointed by the PCC, if the complainant is a member of laity, LLM or parish employee.

It must be recognised that this procedure may be used in circumstances where one of the parties is a member of the laity and, therefore, although they should be invited to respond to allegations, they cannot be required to participate in an investigation or to attend any meeting. Should one of the parties refuse to attend then it might be possible to investigate the matter through correspondence or other means.

If it is not possible to resolve the matter and the investigation indicates that bullying or harassment may have occurred, then a meeting of three representatives appointed by the Bishop if involving a

clergy or the PCC if a parish matter, should be convened, and where possible include an independent member.

Meeting

All paperwork received (from either party) should be distributed to both parties and the three representatives at least seven days before the meeting.

Both parties should be invited to the meeting chaired by one of the representatives. As stated above, complainants or victims who are not office holders or employees cannot be required to attend meetings or take part in this process. If the member of laity is not willing to attend, consideration should be given to questioning through correspondence.

Where the parties do attend the meeting, the investigator should present their findings. Each party should be given the opportunity to have their views heard, separately, and there must be opportunity for the three representatives to ask questions of either party to seek clarification as appropriate.

The meeting will then adjourn so the representatives can consider the evidence and decide whether the allegation is upheld. The outcome should be communicated by the Chair of the meeting to the parties in writing within seven days. The decision made at the meeting will be final.

Appeal

Both the victim and perpetrator of alleged bullying and harassment will be given the opportunity to appeal the decision. Appeals should be submitted in writing to the chair of the meeting and will be heard by a different panel. The basis for appeals should normally provision of additional information not previously considered or fair procedures not being followed.

Support

Pastoral support should be offered at all stages of the process to both parties as required.