

CLERGY DIGNITY IN MINISTRY

Prevention of Bullying and Harassment Policy

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Scope	This Policy applies to all office holders, namely those persons beneficed, licensed or otherwise authorised by the Bishop for ministry in the Diocese of Exeter. This includes all clergy holding office under Common Tenure, Qualified Common Tenure and Freehold, clergy with Permission to Officiate, licensed and PTO lay minister (readers), and applies equally to Cathedral Clergy, Archdeacons and Bishops. The Diocese of Exeter reserves the right to amend this policy at its discretion at any time.
Extensions	Individuals identified in Paragraph 2.
Exclusions	Individuals identified in Paragraph 2.

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Foreword by the Bishop of Exeter

The Rt Revd Robert Atwell

You may wonder why we need a diocesan policy on bullying and harassment? And why does it have to be so long and detailed? Those may well be commonplace reactions to this policy and understandable ones. After all, no one is in favour of bullying and harassment and we all wish to live in the unity that the Gospel asks of us. So why is there so much to be said?

The way in which we treat each other within the Christian Church is part of our witness and integral to our response to the gospel. We are called to live 'in Christ' as St Paul puts it. Part of that vocation is to live in love and charity with our neighbours, treating them with the honour due to those who are made in the image of God. The nature of Church communities is that, while everyone is equal before God, people are given different responsibilities and authority. This has been true from New Testament times onwards.

Sometimes relationships go wrong. Not all Christians have an instinctive ability to use the power and authority they are given within the Church well. And sometimes those who are bullied or harassed believe, mistakenly, that they have done something to deserve it. So this is a teaching document. It is an immensely rich resource for helping us to reflect on our relationships with each other and how we all behave. It deserves study, prayer and reflection. Its purpose is to prompt us all to behave rather better towards one another and help us to 'grow into the full stature of Christ'.

I commend this policy for your study and reflection.

The Right Reverend Robert Atwell

Bishop of Exeter

1. Policy Statement

This policy outlines the commitment of the Diocese of Exeter to encourage and sustain healthy and enriching relationships between office holders, their fellow clergy and colleagues and those they serve in their parishes and mission communities. The policy also and the commitment to ensuring that complaints of bullying and harassment are dealt with promptly, fairly, confidentially and sensitively. Together we are working to build a culture in which such behaviour is less likely to occur.

It also describes the rights and responsibilities of office holders to do all they can to prevent bullying and harassment during the fulfilling of their duties of office.

If this policy and the law conflict, the law shall take precedence. If office holders are in any doubt as to what their rights are, they are to discuss matters with their incumbent, Rural Dean, Archdeacon, Bishop as appropriate. If this policy changes because of amendments in the law, the changes will be notified to the office holder through the appropriate channel, such as the Bishop's Office, the Diocesan People Team, the Church of England National Team, or the Diocesan Communications and Engagement Team amongst others.

2. Who is Covered by the Policy?

This policy applies to all office holders, namely those individuals who are beneficed, licensed or otherwise authorised by the Bishop for ministry in the diocese. This includes all office holders (stipendiary and non-stipendiary) under Common Tenure, Qualified Tenure and Freehold, clergy with Permission to Officiate, licensed and PTO lay ministers (readers), and applies equally to Cathedral Clergy, Archdeacons and Bishops.

All clergy employed by the EDBF are subject to the EDBF Bullying and Harassment Policy. This policy and the EDBF policy are closely aligned and aim to uphold the same standards of professional conduct for all clergy whether employed or holding office across the diocese.

In the event that this policy suggests the person to contact is also the person displaying alleged bullying behaviour, any member of the Bishop's immediate staff will be ready to give confidential advice.

Those not covered by this policy are outlined below:

1. Employees of the Exeter Diocesan Board of Finance (EDBF), the Diocesan Bishop's Office, the Cathedral and National Church Institutions should refer to their own employee handbook and policy document on bullying and harassment for guidance
2. Lay office holders such as churchwardens, as well as PPC members and employees of deaneries, benefices and parishes such as administrators, youth and children's workers should refer to the relevant deanery/benefice/parish employee handbook and policy document on bullying and harassment for guidance.
3. The Church Schools which come under the auspices of the Diocesan Education Board will have their own policies to support healthy working relationships in all areas of school life. Any issues regarding bullying and harassment in these schools should be directed to the Head

Teacher in the first instance. Check the school's website for guidance and signposting to information outlining the process to follow. This will most likely be found in the school's handbook and policy document on bullying and harassment. Depending on the governance structure of the school, if the Head Teacher is the person being complained about then contact the Chair of Governors or the CEO of the school.

4. Lay people which includes members of the congregation and persons such as flower arrangers, choir members and those who participate in the wider life of the church are not covered by this policy when they are person being complained about. When a lay person receives a complaint of bullying and harassment these will be dealt with in the most appropriate way according to the circumstances.

If a lay person wishes to make a complaint of bullying and harassment against an office holder they should refer to this policy document.

If a lay person wishes to make a complaint against a person covered in points 1-3 above, then they should refer to policy documents of the organisation where the person complained about works or serves.

See the flow chart in Appendix 3 for further guidance.

3. Standards of Behaviour

As the Church, we are called to create a loving community that models Christian values and in which all can flourish. The Bible places on us all the responsibility to love one another. St Paul reminds us that we are all parts of one body. Love, justice, mercy, forgiveness and reconciliation are our aims in all things.

However, we are all less than perfect. Occasions arise where people, for a variety of reasons and sometimes unknowingly, use behaviour that is unacceptable. Recognition of this does not undermine the Church. An honest acknowledgement of our human frailty is an essential first step in both preventing and dealing with such failures when they occur. A Church where an admission of failure is met with understanding and forgiveness rather than condemnation will encourage the sort of honest self-reflection which might lead to apology so that relationships can be restored and the church will experience something of the resurrection. Human frailty may explain bullying and harassment but it does not excuse it and, therefore, appropriate support will be offered to restore relationships.

If unacceptable behaviour is not dealt with effectively the consequences are likely to be:

- Low morale and damaged relationships.
- Loss of respect for those with responsibility for oversight.
- Poor stewardship of ministry resources.
- Loss of confidence, ill health, absence and resignations.
- Reputational damage for individuals, congregations and the wider Church.

The Diocesan Bishop and Senior Team recognise they need to set a good example. They also

recognise that what is intended as strong leadership, both lay and ordained, can sometime step over into bullying behaviour. A culture where clergy and lay people consult and discuss problems is less likely to encourage bullying and harassment than one where there is an authoritarian leadership style. They are committed to a culture of mutual respect where individuals, whether lay or ordained, employed or working on a voluntary basis, feel respected and safe and treat one another with dignity. They undertake to participate in training in support of this policy and, where appropriate, to seek expert professional advice and to provide suitable resources to facilitate discussion and promote understanding.

3.1 Communications and Training

The Diocesan Bishop and Senior Team through the Wellbeing Panel are responsible for encouraging and monitoring the implementation of this policy and will ensure that appropriate training is available for those charged with addressing situations of bullying or harassment. The Wellbeing Panel will also ensure the ongoing communication and receiving of feedback to support the future development of this policy.

3.2 False Accusations

People do not normally make serious accusations unless they feel seriously aggrieved. For most it is extremely difficult to make a complaint and the far greater risk is that people delay longer than they should. However, deliberately unfounded or malicious complaints or allegations will be investigated and dealt with fairly and objectively and, where appropriate, formal action taken under our Disciplinary Procedure. An individual, including a member of either the clergy or laity could be subject to an action for defamation, if they have intentionally made false accusations against someone else.

4. Power and Authority in the Church

Ultimately all power comes from and belongs to God who, through the Holy Spirit, creates, nurtures, enables and empowers human beings. This is power in its perfect form, flowing in relationship between the three persons of the Trinity. It is the power which sets people free to become all that God intended them to be.

Power in the context of human relationships is having agency and influence and may be used for good or ill. It includes the capacity to influence the behaviour, thoughts, emotions and attitudes of other people. This is the power to make things happen in human society or to resist and prevent change and is derived from a variety of sources. It is life enhancing when used well but is damaging and potentially dangerous when used to dominate or control. There is a greater risk of power being used badly when:

- We do not recognise that we have power or how we are using it.
- We fear losing it or try to possess it, rather than sharing it and allowing it to flow amongst the community, for the good of all.

Bullying and harassment involve the misuse and abuse of power. They are more likely to arise where there are significant power differentials, power structures are complex, there are many informal sources of power and where people feel threatened, anxious or insecure.

Inequalities of power are inherent in pastoral relationships where one person is being helped by another and may feel dependent and vulnerable.

4.1 Sources of power in parish, benefice and diocese

Ordained and lay people within the Church community have power from many different sources, both formal and informal:

Office holders: members of the bishop's staff, parish clergy, readers, churchwardens, etc. have influence by virtue of their office

Relational: established relationships, with individuals or groups, give influence or control and may be used to prevent or effect change.

Resources: access to/control over resources (e.g. parish treasurer, organist/choir leader, wealthy donor, landowner, landlord, local employer, caretaker, administrator) can enable or restrict ministry and mission.

Physical: physical attributes (e.g. size, age, strength, attractiveness, voice) give varying degrees of influence over others.

Personality: an attractive, charismatic or authoritative personality can motivate or control others; emotional volatility (e.g. angry outbursts) can be used to dominate or manipulate; extroverts can be instantly powerful, whilst introverts may have 'slow power'.

Occupational status: high status occupations or celebrity in secular life (doctor, academic, business person, senior military officer, diplomat, head teacher) give influence, even after retirement.

Knowledge and information: theological & liturgical knowledge, practical knowledge (e.g. how the heating system works), knowledge of relationships within the local community or diocese can be used to disempower or empower others.

Experience: long standing experience of the life of the local church. 'That's been done before, it won't work' or 'We always do it this way, people will leave if you change that'.

Spiritual: there is a genuine spiritual power which is wisdom in discernment rooted in prayer. But spiritual language can be misused to manipulate outcomes. (e.g. 'God has told me we must do this').

Gender, Ethnicity, Sexuality, Status, Wealth and Health are common sources of power in our society that may or not be recognised by the person holding the power.

Transparency and good communication are crucial to the positive use of power. Complex diocesan and parish power structures can make it feel as if power is being used in negative ways, even when this is not the intention or reality. Our faith communities are sustained and enabled through the positive use of power:

- To nurture others so that they can grow strong and develop their gifts and abilities
- To enable and empower others, encouraging them in the use of their strengths and gifts for the good of the Church and wider community.

Clergy and lay people will have access to different sources of power which they may use in either positive or negative ways. There is a risk of bullying or harassment going unchallenged in the Church, due to the differentials of power and authority, the emphasis on loyalty and obedience to authority, and with lay and ordained people, stipendiary/paid and voluntary, working together, sometimes with differing expectations and assumptions. Lines of accountability between parish and diocesan structures can appear complex and not easily understood.

The traditional hierarchy of office holders, the democratic elements (election of churchwardens, PCC's, synods), patterns of collaborative ministry and diocesan financial and administrative responsibilities delegated to the diocesan secretary, all add to this complexity. Sometimes it can be difficult for individuals to know where to turn for help and advice or for those in authority to respond effectively.

Our faith communities are undermined by negative use of power whether by clergy or laity:

- Exploitative use of power to dominate or control, to get their own way, to force or block necessary change.
- Competitive use of power when clergy or lay people who feel threatened prevent others using their gifts. In the local church individuals may also be afraid to own their gifts, for fear of envy. ('Who do they think they are?')
- Manipulative power is often used when there is fear of conflict or fear of legitimate opposition (e.g. doing things behind the scenes, holding back information).

These negative ways of using power can develop into bullying or harassment.

4.2 Power and authority in the local church

Church authority and power structures can be complex and difficult to negotiate within parishes, perhaps especially in rural parishes, and in multi-parish benefices, where a particular parish may dominate or, conversely, feel weak and vulnerable or where parishes resent being joined with others.

Change is part of life and, whether in the life of the church or the wider community, it will threaten existing power and authority structures. The stakes are high for clergy who have moved home (and family) to serve in a new ministry, and for clergy or laity who have lived and worshipped in a community for decades, perhaps even for a lifetime. Consequently, some conflict, whether overt or hidden, is normal and to be expected.

The key issue is how change is managed and conflict handled. Small communities and congregations, who are dependent on volunteers to carry out essential duties, are sometimes vulnerable to those who use their power to dominate or manipulate, or who compete for power with the incumbent. Some who do this are unaware of the effect they have and can be helped to use their power more sensitively. Others are aware of what they are doing and may need a firm response. Fear of diminishing congregations or of how overt conflict will affect the congregation or the minister's family, can inhibit ministers from challenging misused power.

While all should be ready to reflect upon their own potential for misuse of power, it is important that clergy should be enabled to remain secure and calm in their legitimate authority, affirmed by the Church and rooted in prayer and the study of scripture. Clergy are called to be compassionate in relating God's word to the reality of people's lives, not least because to be accepted or rejected by the minister can, for some people, feel like being accepted or rejected by God. Clergy attract hope, fear, guilt, joy, anger so that lay people may project on to them more power than they have, just as clergy may find themselves projecting negative emotions onto parishioners or those in authority over them. It can be difficult to recognise inappropriate projection of emotions but, unless some insight is gained, the result will be damage to the rich and varied tapestry of relationships which exists in our church communities.

5. Definitions of Bullying and Harassment

The words bullying and harassment are often used interchangeably and the impact of either form of behaviour on the individual can be the same. Bullying itself is not against the law but harassment is under the Equality Act 2010. Employees and officeholders can bring complaints under this Act and other legislation covering discrimination and harassment. But unless bullying amounts to conduct defined as harassment in the Equality Act 2010 it is not possible to make a complaint to an Employment Tribunal about it.

Sexual harassment is one of the forms of harassment specifically outlawed by the Equality Act 2010. (See also 'Dignity at Work' 2008 Ministry Division of Archbishops' Council).

Harassment as defined in the Equality Act 2010 is any unwanted physical, verbal or non-verbal conduct related to a relevant protected characteristic, which has the purpose or effect of violating the recipient's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

(The relevant protected characteristics under the Equality Act 2010 are age, race, disability, sex, gender reassignment, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity.)

Harassment often (but not exclusively) targets the gender, sexual orientation, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, religion or belief or age of the victim.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power, through means intended to undermine, humiliate, denigrate or injure the recipient.

Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual's self-confidence, competence and self-esteem. As with harassment, bullying can take the form of physical, verbal and non-verbal conduct.

Bullying is not defined by law but if it is related to one of the 'Protected Characteristics' listed in the above section, then it is likely to constitute harassment under the Equality Act 2010 and to be unlawful.

Bullying and harassment may be persistent or an isolated incident and can amount to severe psychological intimidation, undermining the ability and confidence of the person on the receiving end. A single incident of unwanted or offensive behaviour to one individual can amount to harassment.

Bullying and harassment are not necessarily face-to-face. They may be by written communication, email, 'phone or conducted through third parties or social media. Some of the most damaging behaviours include spreading malicious rumours or innuendo to third parties or refusing to speak to, acknowledge or interact with an individual.

Bullying and harassment may take place in any setting, including during events held in parishes, before, during and after local parish meetings, before and after Church Service etc. The effects can be intensified both by taking place in front of others who feel unable to challenge the behaviour, or in private where there are no witnesses to protect or speak for the person being bullied.

Bullying or harassment may be by an individual against an individual or involve groups of people. It may be obvious or it may be insidious, and whichever form it takes it is unwarranted and unwanted to the individual subjected to it.

In cases of harassment, an individual can complain of behaviour that they find offensive, when directed against a protected characteristic, even if it is not directed at them but they are impacted by it, such as the harassment of one person by another which creates a hostile or intimidating environment.

Equally, care should always be taken when banter is being exchanged between individuals. Whilst those individuals may be comfortable with the level and nature of the banter, it may be unwelcome to anyone overhearing or witnessing it, as it relates to one or more of the 'Protected Characteristics'.

If the person carrying out the bullying claims that others share their perceptions of the person they are targeting this can also intensify the effects. For example, if they say, 'Other people have also said...' or cite or claim knowledge about those in authority, the targeted person is left not knowing whom they can trust for support and will become further isolated.

Anyone who believes they are being subjected to harassment or that they are being bullied is to use the procedures set out in this policy.

Legitimate and constructive criticism of a worker's performance or behaviour or reasonable requests made of workers in the course of their employment will not constitute bullying, which includes individuals employed by PCCs. The same is true for office holders during their holding office and the receiving of genuine feedback from those they work with in the parish.

6. Examples of Harassment or Bullying behavior

Most people will agree on extreme cases of bullying and harassment but it can be more difficult to identify in the grey areas.

Examples of harassment include:

- Unwanted physical conduct or 'horseplay'. Physical conduct ranges from touching, pinching, pushing or brushing past someone or invading their personal space, to grabbing, shoving, punching and more serious forms of physical or sexual assault.
- Unwelcome sexual behaviour, which the harasser may perceive as harmless flirting, including touching and standing too close, and which may also involve unwanted suggestions, advances, propositions or pressure for sexual activity.
- Suggestions that sexual favours may further a career or that refusal of sexual favours may hinder it.
- Continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome.
- Inappropriate behaviour whether in the form of offensive or intimidating comments or gestures or insensitive jokes or pranks.
- The sending or displaying of material that is pornographic or obscene or that some individuals or groups may find offensive (including e-mails, text messages, video clips and photographs taken or sent using mobile phones or via the internet).
- Spreading malicious rumours or insulting someone by word or behaviour, particularly on grounds of one of the Protected Characteristics.
- Ignoring or shunning someone, for example, by deliberately excluding them from a conversation or a workplace social activity.

Examples of bullying include:

- Shouting at, being sarcastic towards, ridiculing or demeaning others.
- Use of e-mails, answerphone messages, anonymous letters or social media to insult or for destructive criticism.
- Copying e-mails that are critical about someone to others who do not need to know.
- Physical or psychological threats.
- Overbearing and intimidating levels of supervision.
- Ridiculing or demeaning someone individually or in front of others.
- Abusing position of authority/power over others such as overriding decisions without consultation, pressuring someone to operate against policy or to break the law, manipulate circumstances to put a person in an uncomfortable position, an unsafe position or a potentially compromising position.
- Inappropriate and/or derogatory remarks about someone's performance.

- Unjustifiably excluding colleagues from meetings or communications.
- Deliberately ignoring or excluding someone from activities or relevant information.
- Victimisation or unfair treatment.
- Making threats or unwarranted comments about job security or future job prospects.
- Unfairly blocking promotion, training or future employment opportunities.
- Claiming formal/informal influence with colleagues and threatening to use this to undermine or jeopardise future prospects.
- Deliberately undermining by overloading with work, frequently changing deadlines at short notice, constantly reprioritising work and persistent destructive criticism.
- Shouting or swearing at a person in public or in private, face to face or on the 'phone.
- Using aggressive or intimidating gestures (with or without physical contact) e.g. pointing in someone's face, pushing or shoving them.
- Alternating bullying behaviour with charm and kindness, thereby confusing the person/undermining their resolve to take action.

7. Patterns of Behaviour

Bullying and harassment are often not obvious to others and may have to be identified through exploration of patterns of behaviour. When bullying behaviours are covert and passive it can be particularly difficult to complain, because each incident on its own appears trivial. It may be the constant repetition and sustained nature or conversely the unpredictability of behaviour, which transforms seemingly trivial incidents into bullying or harassment.

Behaviour experienced as bullying or harassment can also be the result of unintentional misunderstandings, lack of awareness or insensitivity as to how one's behaviour is experienced by others, particularly those with less power. Some people, because of previous experiences of being bullied or abused, or of knowing someone who has previously been bullied or abused, whether as a child or in adult life, may be more vulnerable. This does not mean they are to blame for what is happening. Responsibility remains with the perpetrator. Those for whom bullying has become a pattern often sense who is most vulnerable or lacking in power and repeat patterns of bullying behaviour in different contexts.

Sometimes patterns of bullying behaviour seem to be endemic in particular parishes, benefices, or organizations. Such behaviour may have become entrenched because of failures in structures, poor leadership, or through domination by particular individuals, families or groups, sometimes over many years. In these situations a newcomer, e.g. a new incumbent or curate, can be on the receiving end of increased bullying, and can find this particularly difficult to challenge.

8. Understanding the Effects of Bullying and harassment

8.1 The Effect on Individuals

Bullying and harassment cause the recipient to feel anxious and humiliated. A person who is being bullied is likely to feel isolated and disempowered and fear that they will not be believed. They may fear that, if they complain that they find the actions of others intimidating, they risk being accused of over-reacting, of being weak or not up to the job and lacking resilience. For example, a woman may feel vulnerable in making a complaint against a man in a leadership position within the Church, fearing that her perspective and experience may not be understood by male senior staff; or a curate may be reluctant to tell their training incumbent about the intimidating behaviour of a churchwarden.

Someone experiencing bullying behaviour may feel anger and frustration and try to retaliate, giving the person who is bullying apparent justification for their actions, and possibly being mistakenly identified as the bully themselves.

Even a previously self-assured person can quickly lose self-esteem and become frightened and disorientated when subjected to bullying or harassment. If the bullying persists they will almost always need the support of a third party to hear their story and help them find the strength to initiate and sustain action against it. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to illness, absence from work and even resignation. Almost always, work performance and relationships suffer with effects that can be long term and sometimes permanent.

8.2 Reluctance to Complain

If other people do not appear to react or object to what is happening, the person being bullied may think 'this is normal in this group of people or workplace' and assume it is something they must learn to tolerate. Witnesses to harassment or bullying may be so relieved not to be the focus of such behaviour that they collude to avoid attention or are afraid to complain about fear of the consequences.

Both recipient and witnesses may fear that they will not be believed or that there will be retribution if they complain. They may also fear that, if they complain, they may have to face the pain and upheaval of moving to minister or worship in a different place.

A person making a complaint on their own behalf needs the assurance that their complaint will be treated with confidentiality, that they will be consulted and fully informed before any action is taken and that they will not be asked to confront the person about whom they are complaining, unless or until they feel ready to do so. There may, however, be exceptional circumstances where there is a risk to the safety of others, particularly children or vulnerable adults, where the complaint will have to be investigated.

Fear of not being believed may be reinforced if 'the final straw' is something minor but follows on from an accumulation of other incidents. Christians, both recipients of bullying and those to whom a complaint is made, may find it hard to accept that fellow Christians, lay or ordained, may bully and harass or be the victim of such behaviour. As a result they may wrongly interpret bullying as a personality clash. The reality is that, however regrettable it

may be, this kind of behaviour does occur in the Church and needs to be recognised and named for what it is.

Sometimes ordained church leaders or church members mistakenly assume that it is their Christian duty to put up with bullying or abusive behaviour from other church leaders or from church members when such behaviour would not be tolerated in secular contexts. The mission of the Church is damaged and the gospel undermined when such behaviour is not confronted and addressed.

8.3 Deliberate or Malicious Behaviour

People who deliberately or maliciously harass or bully do not commonly do so in front of those whose power or authority they respect or fear. They may be likeable and pleasant in many other situations and may be skilful at concealing what is happening, only bullying or harassing those whom they sense are vulnerable, unlikely to make a complaint or to be believed. It can be very hard for people who have never experienced bullying or harassment themselves or have not been in a position of vulnerability and powerlessness, to recognise that someone who is amiable and charming in their presence or appears to be a good and committed Christian may be capable of such behaviour.

A person who has received a complaint of bullying and harassment against them may respond in a manner of different ways. For those where the behaviour is a 'one off', they may well, with an appropriate intervention, begin to see how their behaviour has affected others and agree to suggested changes in their behaviour/approach to those who have accused them.

However, a person who is prone to bullying and harassing and who may have a history of difficult relationships with co-workers or social contacts and who is not open to self-examination is may adopt a threefold strategy of defence when confronted with a complaint:

- Denial.
- Counter-attack against the complainant (who may well have been provoked into behaving badly in an attempt at self-defence).
- Presenting themselves as the victim ('poor me') of the person making the complaint, thereby gaining sympathy.

Having placated authority during an investigation, a person who habitually bullies or harasses may return to their previous pattern of behaviour, targeting the same person or finding an alternative victim. Whatever the outcome of a complaint, subsequent monitoring by the person who has investigated the complaint is essential to ensure that the behaviour does not recur.

A word of caution: it should be noted that if such tactics are adopted by the accused and witnessed, it should not be automatically assumed this indicates the accused person is guilty of the complaint. A person falsely accused of bullying and harassment may well respond in a very similar manner. Therefore, care is needed if this is the response of the accused person; in each instance of a claim of bullying and harassment the investigation will be thorough, impartial and objective, and will be carried out with sensitivity and with due respect for the rights of all parties concerned.

8.4 Critical Feedback:

Behaviour considered bullying and harassment by one person may be considered firm management or forthrightness by another. It is therefore important to distinguish between bullying and harassment and respectfully given critical feedback or disagreement with beliefs or opinions. Setting reasonable performance goals, standards or deadlines, giving reasonable directives, feedback or assessments of performance or behaviour, or taking legitimate disciplinary action are not bullying or harassment.

There may be occasions where shortcomings in performance are being addressed and critical feedback is interpreted as bullying or harassment, because the recipient is unused to being challenged or asked to account for their actions. Alternatively, the person giving feedback may lack skills in giving respectful and effective critical feedback and may need guidance and training in how to do this without causing unnecessary stress and distress.

It is legitimate to raise genuine concerns about performance and behaviour. However, this needs to be done sensitively and without aggression, in awareness that no-one likes being criticised and that the aim is to improve performance and not to undermine the person.

Effective critical feedback offers the maximum useful information with the minimum of stress or threat. Critical feedback should not be given in a public situation (although on occasions it may be necessary to arrange for another person to be present for the protection and support of both parties). It should be specific and accurate, describing the action(s) not the person, avoiding judgemental labels (thoughtless, selfish, inconsiderate, incompetent etc.) and generalizations or exaggerations ('You never....,' 'You always....').

The person giving critical feedback must avoid threats or intimidating behaviour such as shouting, swearing or personal insults. Similarly the person receiving criticism about their performance or behaviour should not respond aggressively.

9. Informal Steps to Resolve Bullying and Harassment

The Diocesan policy is to work with individuals informally in the first instance to try and achieve a resolution, and encourage people to meet, share feelings, and take the opportunity for apologies to be given and reconciliation achieved. If a face-to-face meeting is not possible, a written request to the harasser may be appropriate and their colleague can also assist with this.

Where an office holder is the victim of minor bullying or harassment they can (on their own or with the assistance of a confidential helper) make it clear to the bully or harasser on an informal verbal basis that their behaviour is unwelcome and they are being asked to stop. This can include an office holder being bullied or harassed by someone such as a volunteer, parochial officer, or other person they encounter as a direct result of carrying out their duties.

However, it is recognised that for most people this is too stressful a proposition to do on their own, especially for complaints of personal harassment, particularly of sexual harassment or other issues of a sensitive or intimate nature, in which case the office holder should seek support from their Archdeacon who will provide confidential advice and assistance to those

who believe they have been bullied or harassed

In these circumstances an individual is encouraged to raise such issues with the Rural Dean, a senior or other local colleague, or where appropriate an Archdeacon. With their help and support they will offer to assist in the resolution of any problems, whether through informal or formal means.

Where an informal approach is not possible or appropriate, or has broken down, a formal approach may be required as set out in the procedure below.

If an office holder is in any doubt as to whether an incident or series of incidents which have occurred constitute bullying or harassment, then they should contact their Archdeacon confidentially, on an informal basis. They will be able to advise on how the office holder's concerns will be dealt with.

10. Investigating Formal Allegations of Bullying and Harassment

It is Diocesan policy to treat allegations of bullying and harassment seriously and confidentially. It is impossible to investigate a complaint of bullying and harassment without informing key people who are necessary to the proper functioning of an investigation. As such, information relating to the complaint may be shared on a need-to-know basis only. The persons the Archdeacon may need to inform could be (but is not limited to) the Suffragan Bishop/Bishop, the Diocesan Safeguarding Adviser, the Director of People and Safeguarding and on occasion the Registrar. Those investigating will recognise that allegations are not made lightly; a complainant's account will be accepted as a valid account of their subjective experience.

No action, including informing colleagues or contacting the alleged perpetrator, will be taken without the explicit consent of the person who feels he or she has been a target of bullying or harassment, unless the allegation is so serious that it cannot be ignored, for example where there is alleged abuse of children or vulnerable adults. If there is a risk of harm, either to the person concerned or to others, particularly to vulnerable adults or to children, it may be necessary to pass information to the police or social services and the Diocesan Safeguarding Team.

However, in all but the most exceptional circumstances, the need for such action will be discussed with the complainant before it is taken and, wherever possible, their permission will be obtained first. In such circumstance the complainant will, as far as possible within any legal constraints, be kept informed of the actions being taken.

The aim of any investigation will be to identify the underlying issues and eliminate the cause of offence as quickly as possible, with minimal recrimination and the hope of reconciliation. Whilst investigations are conducted support will be offered both to a complainant (and if appropriate their family and others affected by the situation), to the person being complained against and, if appropriate, to any witnesses. This may need to continue for some time afterwards. The diocese will ensure that if an individual brings a complaint of harassment or bullying, they will not be victimised for having brought the complaint.

The Archdeacon will be involved at every stage of a formal complaint's procedure assisted by

the Diocesan Director of People and Safeguarding as required. Written records will be kept and retained at all stages.

The diocese has a **three-step process** for investigating complaints of bullying and Harassment.

STEP 1: Formal Notification

The office holder should bring the matter to the attention of their Archdeacon as soon as possible. It may be verbally in the first instance but must be followed up by a formal written complaint. The written complaint should include details of what happened and when, what steps were taken to try to resolve the matter and what remedy they might find acceptable; the statement should then be sent to the Archdeacon (unless the Archdeacon is the subject of the complaint or concern, in which case the matter should be referred to the Suffragan Bishop).

If the person being complained about is a lay person, the complainant should put their concerns in writing to the Archdeacon. The Archdeacon will discuss this with the complainant and other relevant people regarding how to formally progress the complaint.

STEP 2: Process of Investigation

Complaints will be investigated in a timely and confidential manner to establish full details of what happened. The investigation will be thorough, impartial and objective, and will be carried out with sensitivity and with due respect for the rights of all parties concerned.

- The Archdeacon will either investigate or they may appoint someone to investigate on the matter on their behalf.
- At the outset of the investigation, the investigator will obtain a statement from the person against whom the complaint has been made (the respondent). If appropriate this will be done in person, and they will be invited to express a view which must be considered at any subsequent meetings with the complainant. The respondent has a right to be accompanied by a colleague or trade union representative.
- The investigator will then invite the complainant to attend a meeting to hear their account of the events leading to the complaint. The complainant may also be accompanied by a colleague or trade union representative.
- The investigator will then need to make a judgement as to whether the parties should be seen together at this stage or if bringing them together too soon could inflame the situation.
- As soon as possible after the meeting the Archdeacon will inform the complainant and respondent in writing of their decision as to whether there is any substance to the matters raised in the complaint. If so, they will set out what steps they are taking or proposing to take to resolve the matter including a provisional timetable for further investigation if necessary. The complainant will also be notified of their right to take the matter to appeal if they are dissatisfied with the decision.

- It may be necessary to interview witnesses to any of the incidents mentioned in the complaint before a decision can be made, equally interviews may be necessary after a decision has been made. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised to them. The name of the complainant and the name of the alleged bully or harasser will not be divulged other than on a 'need to know' basis to those individuals involved in the investigation.
- If it is a complex and long investigation the investigator will arrange further meetings with the complainant and respondent as appropriate throughout the investigation and/or at its conclusion.
- If the complaint is against an office holder consideration will be given to whether the respondent should partly or wholly cease to carry out the duties of their office pending the outcome of the investigation.

At the conclusion of the investigation:

- If the investigator was appointed by the Archdeacon, the investigator will submit a report to the Archdeacon to consider the complaint.
- The Archdeacon will usually arrange a meeting with the complainant to report the outcome within a week of the conclusion of the investigation.
- A copy of the investigator's report together with the Archdeacon's findings will be provided to both the complainant and respondent.

Possible outcomes of the investigation:

- If the report and the Archdeacon conclude that the allegation is well founded and finds bullying or harassment has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence:
 - Where a complaint against an ordained office holder is upheld, he/she may be liable to disciplinary action in accordance with the scope and remit of the Clergy Discipline Measure (CDM).
 - Where a complaint against a lay person is upheld, the Bishop will consider what action to take.
- However, if the report and the Archdeacon conclude that the complaint is both untrue and has been brought with malicious intent, disciplinary action may be taken against the complainant:
 - If the complainant was an ordained office holder the false complaint will be dealt with within the scope and remit of the Clergy Discipline Measure (CDM).
 - If the complainant who made a false allegation is a lay person, the Bishop will consider what action to take.

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- If the complainant remains dissatisfied or the matter remains unresolved, they may move to appeal by informing the Archdeacon/Suffragan Bishop in writing stating their reasons for doing so.
 - Where a complaint is not upheld but was made in good faith (and not judged to be have been made maliciously) consideration will be given to how the ongoing pastoral relationship between the complainant and the alleged bully or harasser should be managed. This may involve, for example, arranging some form of mediation or counselling or a change in the duties/working arrangements of either party. Further details of the mediation process can be found at Appendix 2.

STEP 3: Appeals Procedure

If the complaint has not been resolved to the satisfaction of the complainant they may appeal in writing to the Archdeacon stating the full grounds of appeal, within one week of the date on which the decision was sent or given to the individual.

The diocese will hold an appeal hearing, normally within one week of receiving a written appeal. This will be dealt with impartially by the Diocesan Bishop or by a senior representative/group appointed by the Bishop who has not previously been involved in the case, (although the Bishop may ask anyone previously involved to be present). The complainant has a right to be accompanied by a colleague or trade union representative to the meeting.

If the complainant or their companion cannot attend the appeal hearing the complainant must inform the Bishop immediately and an alternative time will be arranged. The complainant must make every effort to attend the appeal hearing, but if they cannot attend the Bishop (or the Bishop's representative) may have to take a decision based on the available evidence.

At the appeal hearing the Bishop (or the Bishop's representative) will go through the complaint made of harassment or bullying and the evidence that has been gathered. The complainant's companion may make representations, ask questions, and sum up the complainant's position, but will not be allowed to answer questions on the complainant's behalf. The complainant may confer privately with their companion at any time during a hearing.

The Bishop (or the Bishop's representative) may adjourn the appeal hearing if it is agreed there is a need to carry out further investigations such as re-interviewing witnesses in the light of any new points raised by the complainant at the hearing. The complainant will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

The Bishop will confirm the final decision in writing, usually within one week of the appeal hearing. Where possible the Bishop (or the Bishop's representative) will also explain the outcome of the appeal to the complainant in person.

This is the end of the appeal procedure and there is no further appeal.

11. Guidance For Those Raising a Complaint

Anyone who experiences bullying or harassment should not suffer in silence or feel that they are to blame for in some way inviting bullying behaviour or feel inadequate for being unable to deal with it. Bullying and harassment by their nature disempower and undermine the confidence of the person who is the target.

For most people in the life of the church, their involvement is more than a job; it is not something from which they can easily choose to walk away, because God has called them. For clergy and laity alike, the parish is their home and to be bullied in the place where you 'live and move and have your being' is especially hard.

In all cases it is best to take action as early as possible. It may be tempting to delay in the hope that things will improve but dealing with the matter early can prevent it becoming public or escalating.

Action you can take yourself:

- Keep a factual log of all incidents as soon as possible after the event: dates, times, nature of incident, witnesses, details of accusations or criticisms and how you felt in response, copies of e-mails and other correspondence. This will help you see more clearly whether, even if the incident(s) seem relatively trivial, there is a pattern of behaviour. It will also provide evidence, should harassment, victimisation or bullying continue/ recur or action become necessary.
- As far as possible, avoid situations where you are alone with the person who is bullying or harassing.
- Try to get witnesses to bullying incidents: if possible, talk to those who witnessed what has happened and ask if they will offer support and corroboration.
- Try to find out if you are the only person being bullied, or if someone else is suffering in silence.
- Try to find out if this has happened before, in the past.
- If the alleged bullying or harassment is focused on your work performance, it may be helpful to clarify if responsibilities or duties allocated match your role/job description. (e.g. is the workload unreasonable?)
- Get support: talk with a trusted colleague or spiritual director who understands the need for confidentiality and who can offer support and help clarify the issues and possible courses of action.

Reporting bullying behaviour:

Talking to someone in confidence can help to establish a course of action to deal with bullying or harassment. It is not always easy to know the right person to whom a complaint should be made. One of the following: an individual's incumbent, Rural Dean, Deanery Lay Chair, Archdeacon, Bishop's officer for Ordinands and initial training, Bishop, Dean, Warden of Readers, Dean of Women's Ministry, diocesan BAME advisor, Line Manager, Diocesan

Secretary or senior manager, reader or churchwarden will be able to receive a complaint in confidence and, with the individual's agreement, will direct the complainant to an appropriate person (usually a member of the Bishop's Senior Staff) who will, with the complainant's permission, begin an investigation, drawing in others (such as the Registrar or a mediator) where necessary.

If a complainant believes, at any stage, that the situation has not been taken sufficiently seriously, they should approach another of the people suggested above. If in doubt, contact the relevant Archdeacon. No action will be taken without the complainant's agreement except, in accordance with our Safeguarding Policy, where anyone is at risk of harm.

The disempowering nature of being the target of bullying or harassment, often over a prolonged time period, means there are times when acting for the individual is too difficult. Indeed, research and experience show that it is generally inadvisable for someone who has been a target of bullying behaviour to confront a person bullying alone without professional or other support. The person investigating will be able to identify a professional with experience of dealing with bullying and harassment (e.g. a professional counsellor or trained mediator) and the complainant will be able to discuss with them whether and how to confront the person.

The Diocese of Exeter is committed to training suitable people as mediators who will be able to offer appropriate support to resolve the matter.

In addition to recognizing the emotional and psychological effects of bullying and harassment, those investigating will need to establish the facts. They will need to know:

- The name of the alleged bully or harasser.
- The nature of the alleged bullying or harassment.
- The details of what happened?
 - Where and when did it occur? Make notes of the dates and times when the alleged bullying or harassment occurred.
 - Was this the first incident or have there been others?
 - Who was involved?
- Were there any witnesses? Give their names
- If any action has been taken, or if there have been any attempts to prevent further bullying or harassment.

They may need to see the detailed log of evidence, together with copies of any emails or other correspondence, to enable them to get as full a picture as possible.

The diocese will seek to ensure that procedures are fairly and properly followed. Any investigation will be conducted with objectivity and independence. Details relating to the circumstances that gave rise to the complaint, the evidence of witnesses and the nature of any ministerial relationship between the complainant and person accused, will all be considered. Appropriate support will be offered to those making a complaint. In addition the

alleged perpetrator may be offered help to recognise, understand and modify their behaviour and will be strongly advised to accept this help.

While investigations will be carried out in the hope of reconciliation, this will not always prove possible.

12. Guidance For Those Accused of Bullying or Harassment

If an individual is accused of bullying or harassment they should notify someone such as their incumbent, Rural Dean, Deanery Lay Chair, Archdeacon, Bishop's officer for Ordinands and initial training, Bishop, Dean, Line Manager, Diocesan Secretary or senior manager, reader or churchwarden, as appropriate and without delay of the allegation. The person first notified will, with the individual's permission, seek advice from a member of the Bishop's immediate staff (usually the Archdeacon) who will be able to provide the individual with support and guidance and be able to conduct an investigation.

Allegations of bullying and harassment will always be taken seriously, however the investigation of an allegation does not signify a judgement that the person about whom a complaint has been received are guilty, or are assumed to have behaved inappropriately, but it must be fairly and fully investigated. As part of this investigation the individual will be asked, as a matter of course, to reflect on their behaviour and the possibility that they might be at fault, whether consciously or not. Such investigation is essential in uncovering the truth but does not mean that the individual is being pre-judged.

For those who have an alleged complaint raised against them they should be very careful not to behave towards the person making the allegation in any way that might cause further difficulties between them.

The perception of the person complaining of bullying or harassment must be considered. It is possible that a problem has arisen because the individual did not realise the effect of their actions and did not intend the effect that has been experienced. Whilst not all complaints are justified and some may arise from misunderstanding, simply to be defensive and deny there is a problem, or to insist that the problem lies with the person complaining, is unrealistic and is more likely to aggravate the situation. Attempting to see the situation from the other person's point of view and to understand how they may have been affected may be sufficient to resolve the situation.

The aim will be to facilitate discussion with a view to resolving the problem at source, if possible.

13. Right to be Accompanied

At the outset of any appeal process, the complainant will be made aware of their right to be accompanied by a work colleague or trade union official (a "Companion") to any appeal hearing under this procedure. The complainant must tell the Bishop (or the Bishop's representative) who the chosen companion is, in good time before the hearing.

If a companion is another Diocese of Exeter office holder or EDBF employee they will be allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a

companion if they do not wish to do so. If a companion is from another organisation or is a trade union representative, time off from their duties will be at the discretion of their employer.

If the companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days Archdeacon may require a different companion to be chosen.

The Bishop may, at his discretion, allow the complainant (when not an office holder) to bring a companion who is not a colleague or union representative (for example, a member of the complainant's family) where this will help overcome a disability, or where English is not their first language.

If a complainant indicates that they do not want a companion, this must be noted in the minutes of the meeting.

See Appendix 1 for Guidance on the role of a companion.

14. Protection for those Making Complaints or Assisting with an Investigation

Any office holder, member of a congregation or other individual who makes a complaint or who participates in good faith in any investigation conducted into alleged harassment or bullying will be protected from any form of intimidation or victimisation because of their involvement.

If an individual considers that they have been subjected to any such intimidation or victimisation they should seek support from incumbent, Rural Dean, Deanery Lay Chair, Archdeacon, Bishop's officer for Ordinands and initial training, Bishop, Dean, Line Manager, Diocesan Secretary or senior manager, reader or churchwarden, as appropriate. They may alternatively or additionally raise a complaint in writing under this procedure or our Grievance Procedure.

Similarly if an office holder considers that they have been subjected to any such intimidation or victimisation they should seek support from their Archdeacon or Suffragan Bishop or other appropriate person, including the Diocesan Director of People and Safeguarding who can advise on the provision of wellbeing and counselling support.

15. Confidentiality

Confidentiality is an important part of the complaint's procedures provided to deal with bullying and harassment. Whether making a complaint or because they are involved in any investigation, everyone is responsible for observing the high level of confidentiality required. Details of the investigation and names of relevant people must only be disclosed on a "need to know" basis.

Breach of confidentiality by an office holder may give rise to disciplinary action under the Clergy Disciplinary Measure.

16. A Whistle Blowing Policy

To fulfil their commitment to safeguard and promote the welfare of children and vulnerable adults, all organisations that provide services for, or work with, children or vulnerable adults are required to have appropriate whistle-blowing procedures, and a culture that enables issues about safeguarding and promoting the welfare of children and vulnerable adults to be addressed.

Whistle-blowing may also apply to situations such as those covered by this document, namely unacceptable practice, performance or behaviour in situations unrelated to children or adults who may be vulnerable, and these same principles can be applied.

All office holders are encouraged to acknowledge their individual responsibility to bring matters of unacceptable practice, performance or behaviour to the attention of their Archdeacon/Bishop.

Members of a congregation are encouraged to acknowledge their individual responsibility to bring matters of unacceptable practice, performance or behaviour to the attention of the incumbent, churchwarden, named person for safeguarding, Archdeacon or any other person holding the bishop's licence.

Please refer to the Clergy Disclosure of Public Interest (Whistleblowing) Policy for further details.

17. Further Help

Where appropriate, mediation, counselling and legal advice are all available to help resolve matters and restore healthy relationship which will enable both the individuals concerned and the life of the church to flourish.

To raise awareness of the often hidden nature of bullying and harassment and, as part of limiting its occurrence, open discussion of the matter can have a beneficial effect.

The following questions may help to facilitate such discussion within PCCs, Synods and other less formal gatherings:

1. How did Jesus use his power? Compare, for example, the story of Jesus' temptation in the wilderness (Matthew 4: 1-11) with Jesus and the woman caught in adultery (John 8: 1-11).
2. What lessons can we learn from Jesus' words: "The Son of Man has come, not to be served but to serve." (Matthew 20:28)?
3. How easy is it to tell the difference between "firm management" and bullying? Why might something be seen as firm management by one person and as bullying by another? How could this be changed?
4. As Christians we are to love one another, and "Let the word of Christ dwell in you richly; teach and admonish one another in all wisdom" (Colossians 3:16) and to "be kindly to everyone, an apt teacher, patient, correcting opponents with gentleness." (2 Timothy

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- 2:25). How best can we admonish and correct without appearing to bully?
5. Based on any experiences of bullying or harassment (in or out of a church context) you have experienced / witnessed, what do you think we could do differently within the Church? And how can we ensure this happens?
 6. Have you been aware of behaviour within the church which you believe could be defined as harassment or bullying? How might this be addressed in such a way as to enable more positive and enriching relationships?
 7. We all have power in one or more areas of our lives. Given that *“there is a greater risk of power being used badly when we do not recognise that we have it or how we are using it, and when we fear losing it”* (Section 4), think of an area or a time in your life where you had/have power. How did you work with those you had power over? In what ways could you have handled your power better? How easy was it to spread the power around?
 8. Consider the “Sources of power in parish, benefice and diocese” in Section 4. In what ways do you see these different sources in your local setting? How could some of this be changed to become more useful? How might we use our power to empower others?
 9. What examples of “positive use of power” have you seen, and what can be learnt from these to use in other places?
 10. What examples of “negative use of power” in Section 4 have you seen, and how could these be changed to a more positive use?

The following websites have useful information:

- Advisory, Conciliation and Arbitration Service: www.acas.org.uk
- Andrea Adams Consultancy: www.andreaadamsconsultancy.com
- Bullied and Abused Lives in Ministry: www.balmnet.co.uk
- Bully Online: www.bullyonline.org
- Dignity at Work Partnership: www.dignityatwork.org
- Unite the Union: www.unitetheunion.com
- Restorative Justice Training Foundations: www.restorativejusticetraining.co.uk
- Safeguarding in the Diocese of Exeter:
<https://exeter.anglican.org/resources/safeguarding/>

Further reading:

- Adams, Andrea (1992) **Bullying at Work – how to confront and overcome it.** London: Virago Press.
- ACAS (2005) **Bullying and harassment at work: a guide for managers and employers.** London.
- Arbuckle, Gerald A (2004) **Dealing with Bullies: a gospel response to the social disease of adult bullying.** London: St. Paul’s Publishing.
- Beale, Marcus (2002) **Bullying in the Church.** SLIM paper: workplace bullying.
- Beasley- Murray, Paul (2005) **Power for God’s Sake: Power and Abuse in the Local**

Church. Wipf and Stock.

- Behrens, James (2003) **Church Disputes Mediation.** Leominster: Gracewing.
- Clifton, Jo and Heather Serdar (2000) **Bully Off! Recognizing and Tackling Workplace Bullying.** Lyme Regis: Russell House Publishing.
- Coloroso, Barbara (2005) **The Bully, the Bullied, and the Bystander.** London: Piccadilly Press.
- Eggleton, Martin and David Trafford (2000) **At Cross Purposes: Handling Conflict in the Church.** Peterborough: Foundry Press.
- Field, T (2010) **Bully in sight: how to predict, resist, challenge and combat workplace bullying. Overcoming the silence and denial by which abuse thrives.** Wantage: Success Unlimited.
- Gula, Richard M, (2010) **Just Ministry: Ethics for Pastoral Ministry.** Paulist Press.
- Litchfield, Kate (2006) **Tend My Flock: Sustaining good practice in pastoral care.** Canterbury Press, Norwich.
- Oade, Aryanne (2009) **Managing Workplace Bullying: how to identify, respond to and manage bullying behaviour in the workplace.** Palgrave Macmillan.
- Preece, Roger (2011), **Understanding and Using Power: Leadership without corrupting your soul.** Grove Books, Cambridge.
- Rayner, Charlotte, Helge Hole, Cary Cooper (2002) **Workplace Bullying – what we know, who is to blame and what can we do?** London and New York: Taylor Francis.
- Tehrani, Noreen (2001) **Building a Culture of Respect: Managing Bullying at work.** London & New York: Taylor and Francis.
- Convocations of Canterbury and York (2015) **Guidelines for the Professional Conduct of the Clergy.** Church House Publishing.
- Power, Rosemary (2016) **Challenging Bullying in Churches.** Grove Books, Cambridge.
- Pimlott, Nigel (2005) **Responding to Challenging Behaviour.** Grove Books, Cambridge.
- Keyte, Kenneth M (2020) **Christlike Conflict Resolution in Philippians.** Grove Books, Cambridge.
- https://www.researchgate.net/publication/328660306_Help_and_hindrance_clergy_talking_about_bullying.

Contacts

For Archdeacons and other contacts go the Diocese of Exeter website.

<https://exeter.anglican.org/who-we-are/diocesan-staff/>

APPENDIX 1: Guidance on the role of a Companion

This document is intended to provide guidance to individuals who have been asked to accompany a colleague to a meeting held under procedures set out in this policy

Should/Can you Attend?

You are entitled to refuse to accompany your colleague, for any reason, if you choose to do so.

If you cannot attend the meeting on the proposed date, liaise with the individual concerned or get in touch with the relevant Archdeacon's PA as soon as possible so that an alternative date can be scheduled. This will normally be no more than five working days later than the originally scheduled date.

Prior to the Interview/Hearing

It may be helpful for you to read the relevant sections of the Clergy Handbook.

- Ensure your colleague understands the procedure to be followed. If they are in doubt, you or your colleague are to talk to the relevant Archdeacon's PA.
- Ensure you are familiar with the full facts of the case and understand your colleague's views and the issues to be addressed.
- Ensure that your colleague has notified the relevant Archdeacon's PA that you will be accompanying them to the meeting.

During the Interview/Hearing

During the meeting you may address the meeting to:

- State your colleague's case.
- Sum up your colleague's case.
- Respond on your colleague's behalf to any view expressed at the meeting (but this does not extend to answering questions on behalf of your colleague).
- You and your colleague can confer with each other at any time during a hearing. If you wish to do so privately, ask the person chairing the meeting to have an adjournment.
- You may not answer questions on behalf of your colleague.
- You may take notes.

After the Interview/Hearing

Write up your notes so that the events remain clear in your mind. You may also wish to advise your colleague to go to the relevant Archdeacon's PA if they are unclear about the process that will follow the interview.

APPENDIX 2: Mediation

It should be borne in mind that seeking legal remedy can be a protracted, costly and painful process, and it is not designed to address the underlying issues. Work to develop a culture that makes it less likely that bullying and harassment will take place and acting swiftly to nip it in the bud if it does, will help to reduce the need for legal action. For these reasons, the priority is to encourage a mediation process to be adopted. Mediation is not legally binding and does not decide who is right or wrong; it allows parties to speak openly and honestly about their disagreements using a third party (mediator) to help them work through their differences.

How it works

1. An individual or group has concerns about being bullied or harassed.
2. They have an informal preliminary discussion with the Rural Dean, Archdeacon, Diocesan Secretary or Director of People and Safeguarding. The person an individual speaks to first will be dependent upon who they feel they are being bullied by.
3. If criminal activity is suspected, the Police will be contacted.
4. If the CDM procedure is to be invoked, the Archdeacon will take this forward after the discussion to the Registrar.
5. If neither 3 nor 4 apply and bullying or harassment is suspected, the individual or group will be referred to an Archdeacon if they have not been involved already.
6. The Archdeacon will meet with each party individually (both the person making the complaint and the person to whom the complaint refers).
7. If requested, the Archdeacon may speak on behalf of the person making the complaint and try to resolve the issue. This may be possible and if so, the process is ended.
8. The Archdeacon works with the parties together to resolve the issues.

Steps 2-8 should be a quick and informal process

9. If the issues are still not resolved, and both parties agree, the Archdeacon sets up a meeting with a professional mediator.
10. The mediation process begins.
 - a. The issue is resolved, and the process is ended. A copy of the agreed way forward will be sent to the Bishop. The details of the issue will remain confidential.
 - or
 - b. The mediation does not resolve the issues and a report is sent to the Bishop that briefly outlines the process followed but does not divulge the detail of the mediation.

The Bishop decides if he needs to take any action.

Principles of Mediation

It is important to stress that this policy comprises a mediation process. Mediation is a well-established process for resolving disagreements in which an impartial third party (the mediator) helps people in dispute to find a mutually acceptable resolution. Mediation has a structure, timetable and dynamics that “ordinary” negotiation lacks. Participation is voluntary and cannot be compelled. The mediator acts as a neutral third party and facilitates rather than directs the process.

Mediation can assist the process of reconciliation as it encourages clarification of what has happened, how it was perceived by the other person and acknowledgement of the depth of anger and hurt. Reconciliation, when possible, involves the rebuilding of damaged relationships for both parties.

Mediation should not be seen as committing people in advance to a particular outcome, but it does require willingness by all concerned to find a mutually acceptable solution. The emphasis is on collaborative problem solving between those in dispute – ‘win/win’.

Mediation is a voluntary process. Unlike arbitration, the third party has no power to impose or even formally recommend a solution. The focus is on the future – rebuilding relationships rather than apportioning blame. It acknowledges feelings as well as facts, to allow participants to let go of anger/upset and move forward.

Mediation is most likely to work when it is used early on and those in dispute want it to work. They must be prepared to be open and honest and to consider working towards reconciliation and a continuing relationship. The process of helping the parties to work through their issues openly is likely to encourage better collaborative working in the future, particularly when time is spent allowing people to explain how they feel about the other’s actions or just gaining an understanding of what they didn’t know or understand.

Mediation is usually much quicker than formal processes and often produces longer lasting and more positive solutions. The greatest benefit is that it allows individuals to control the process and find their own solutions. Nothing is imposed, although a skilful mediator will guide people through their difficulties and encourage them to look to the future if they become stuck in the past. It generally has a benefit even if agreement is not reached – participants using mediation have a better understanding of each other, even if they still cannot agree.

Setting up Mediation

In situations where the Archdeacon has not been able to help the parties to resolve the issues, he or she may decide that it would be appropriate to encourage parties to consider mediation.

This is a voluntary process aimed at resolving the issues. While no-one can be compelled, they would be encouraged to take part to move the process forward.

If both parties agree, the Archdeacon will set up a mediation meeting.

The Mediation Process

Mediation helps the parties in dispute to identify the 'real' issues, to work through them openly and honestly and encourages options for resolution. The mediator is the facilitator and plays an active role in guiding parties through the confidential process in an impartial and empathetic way.

The Stages:

1. Separate meeting with the individual parties

Meeting the parties individually allows the mediator to:

- explain the process, including their role in it
- explain the parties will set up appropriate ground rules together
- begin to build up some trust and rapport
- gain some commitment to the process
- explore the issues and conflict
- explain and prepare for a joint meeting if both parties give agreement to it; *however it will also allow the mediator to see if mediation is appropriate and, if so, to consider the best way to continue.*

2. Hearing the Issues

The parties will come together at a mutually convenient time. Ground rules are explored and agreed by all parties. The mediator then allows uninterrupted time for each party to offer their story. Together they set the agenda for the rest of the meeting having pulled out the issues which will form the basis of the discussion.

3. Exploring the Issues

The mediator asks questions of clarity to both individuals, ensuring a fair allocation of time to each party. The mediator may be able to see what the underlying concerns are; help them to discuss these and encourage communication between the parties; get them to look to the future; find out what they hope to achieve and how they can work together in the future. It may be necessary to acknowledge that some differences will not be overcome, in which case they can look at ways to deal with these.

4. Building and Writing Agreements

Building on what has been said, the mediator will encourage the parties to find solutions or suggestions to deal with the problems. Together they will test the solutions and finally the mediator will sum up areas of consensus and disagreement if some still exist.

The mediator will ascertain whether a written agreement is wanted or necessary or if it will be recorded in any way. The mediator will help them to put any agreement together and it will be written and signed there and then.

5. Closure

The mediator clarifies what will happen to the agreement and that it is completely confidential; they must decide who (if anyone) needs to know anything and how it will happen. If no agreement has been reached, the mediator may look at what has been achieved (or not) and the parties may look at what options are now available to them. The mediator will try to ensure that the parties leave with neither feeling unjustly treated.

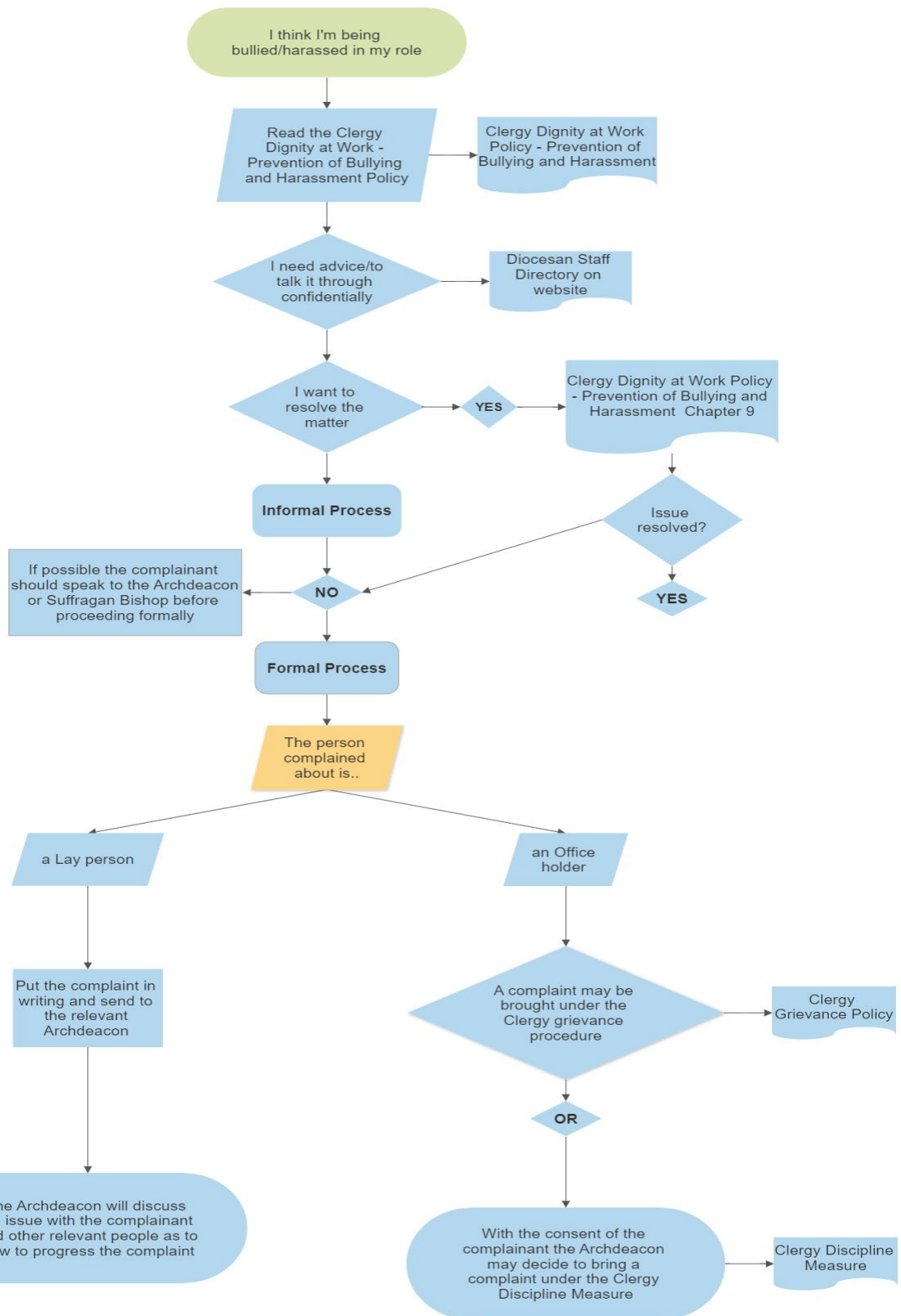
The mediator will explain that their role ends here but may offer a follow up meeting if the parties would find it helpful; if not the mediator may encourage the parties to review their situation in a few months but encourage them not to leave it if relationships begin to unravel.

If Mediation Fails

If in the opinion of the Archdeacon, the mediation process has failed, he or she may consider establishing an Advisory Group to consult with. The Advisory Group may comprise an Archdeacon from elsewhere in the Diocese, a senior lay person, a senior priest, the Director of People and Safeguarding, the Registrar, a member of the Communications Team, a member of the Safeguarding Team, the Bishop's Chaplain and such other people as the Archdeacon may wish to involve. The Group should comprise of not less than 3 people, to include one of the other Archdeacons. The Advisory Group should consult the checklists for situations where concerns have been raised: (1) the Advisory Groups Checklist; (2) the Communications Checklist.

APPENDIX 3: Bullying and Harassment Flow Chart

Note: if anyone is being bullied and feel that they are in danger the matter should be reported to the Police.



APPENDIX 4: Bullying and Harassment Procedure – Guidance for dealing with Formal Complaints involving members of the Laity

It is the policy of the diocese to use existing procedures to deal with matters of bullying and harassment wherever possible. The appropriate procedures are identified in the table at Appendix 3 of this document. When the complaint is against a church warden, a PCC member or member of the congregation, the circumstances are outside of the remit of existing procedures and the process set out in this Appendix.

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

If the complaint is from a member of the clergy, then the Director of People and Safeguarding will determine whether the issue can be addressed through resolution and reconciliation or whether the complainant is seeking justice and vindication. If it is the latter, then the appropriate person should be appointed to investigate.

If the complaint is from a member of the laity, then the PCC will need to discuss how to proceed with the Area Dean or Archdeacon. Any legal advice should be taken by the PCC in accordance with their insurance policy.

Investigation

When it is advised that this process should apply then an investigation should be undertaken by either an appropriate person appointed by the Archdeacon, if the complainant is a member of the clergy, or an appropriate person appointed by the PCC, if the complainant is a member of laity and an agreed resolution sought.

It must be recognised that this procedure is to 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 a 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 Archdeacon or the PCC should be convened as directed to by Director of People and Safeguarding. The Archdeacon or PCC should have designated one member as the Chair and, where possible, should be independent of the PCC.

Meeting

All paperwork received (from either party) should be distributed to both parties and the three representatives at least 7 days before the meeting.

The investigator should explain his/her findings.

Both parties should be invited to the meeting and given the opportunity to have their views heard separately. As stated above, complainants or victims who are not office holders or employees cannot be required to attend meetings or take part in the process.

Consideration should be given to questioning through correspondence if the member of laity is not willing to attend.

Where parties do attend the meeting, there must be an opportunity for the three representatives to ask questions seeking clarification as appropriate.

The representatives should 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 of the meeting will be final.

Pastoral support should be offered at all stages of the process.