

Bullying and Harassment Policy

General principles

The Diocese believes that all members of staff are entitled to be treated with dignity and respect while at work and when representing the organisation in any capacity outside work.

The Diocese will not tolerate the bullying or harassment of:

- one staff member by another or of
- any other individuals with whom they have contact in the course of carrying out their duties for the Diocese or of
- a staff member by a third party with whom they have contact in the performance of their job.

Such behaviour is unlawful and is regarded as both serious and unacceptable in the working environment. The Diocese will take positive action to prevent its occurrence at work and out of the workplace, such as on business trips or at work-related events or social functions.

Objective of the policy

The objective of this policy is to prevent bullying and harassment within the Diocese and to provide a framework for addressing any bullying and harassment issues that may arise.

Definition of bullying and harassment

In general terms, bullying may include offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Harassment is unwanted conduct related [or unrelated to] a protected characteristic* under the Equality Act 2010, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. This means that even if the harassment is not directed towards a staff member, they might find it offensive (creating an offensive environment).

*This can include harassment of someone because the harasser thinks that the victim possesses a protected characteristic or because the victim associates with a person who possesses a protected characteristic.

Behaviour that is considered as bullying by one person may be considered firm management by another. It may be persistent or an isolated incident. Unacceptable behaviour may include:

- spreading malicious rumours or insulting someone (particularly on the grounds of a protected characteristic under the Equality Act 2010)
- copying memos or emails that are critical about someone to others who do not need to know
- ridiculing or demeaning someone; e.g. picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual conduct including:
 - o unwelcome sexual advances, propositions, suggestions or pressure to participate in social activity outside work, where it has been made clear that this is not welcome
 - o conduct which is intimidatory, physically or verbally abusive, including the display of explicit material, the use of sexually explicit humour, and comments of a sexual nature whether directed specifically at any particular individual or not
 - o suggestions that sexual favours may further a person's career, or that refusal may hinder it
 - o making decisions on the basis of sexual advances being accepted or rejected
- unwanted physical contact

- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals from progressing by intentionally blocking promotion or training opportunities

Bullying and harassment are not necessarily face to face, they may be by written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), in any form of social media, electronic email (so called 'flame-mail'), phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all workers.

Bullying and harassment may be carried out by third parties; i.e. people who are not employees of the Diocese but with whom the affected staff member comes into contact as part of their work.

Complaints of bullying and harassment

Any staff member who wishes to make a complaint relating to alleged bullying or harassment within the framework of this policy should raise it through the Diocese's Grievance Procedure.

How complaints of bullying and harassment will be dealt with by the diocese

The Diocese has regard for the fact that bullying and harassment are unlawful** and views such acts as constituting extremely serious and unacceptable behaviour. It is committed to taking all complaints of bullying and harassment very seriously and to investigating them thoroughly with fairness, sensitivity and confidentiality.

Where staff members complain of bullying or harassment

Where a staff member complains of bullying or harassment, the complaint will be taken very seriously and will be thoroughly investigated.

In the course of the investigation the staff member who is accused will be given a reasonable opportunity to answer the allegations made against them and to provide an explanation. Management will consider all the circumstances before reaching a conclusion, taking into account the perception of the staff member complaining of bullying or harassment.

If it is concluded that there was no bullying or harassment this will be the end of the matter. If it is concluded that a false accusation has been made maliciously against the staff member, the person or persons responsible may be subject to disciplinary action.

If it is concluded that a member of staff has bullied or harassed another staff member, management will consider appropriate action including taking into account whether other policies have also been breached such as the Diversity Policy, Internet and Communications Policy or the Social Media Policy. This may range from counselling or training to formal disciplinary action, including dismissal in serious cases. Appropriate action will also be considered for the staff member who complained of the bullying or harassment. This might be the provision of counselling support or redeployment if regarded as necessary and reasonably practicable.

Bullying or harassment by third parties

Where a staff member has been subject to bullying or harassment by a third party; e.g. a visitor, contractor etc, a full investigation will take place and appropriate action will be taken if the complaint is found to be justified.

Responsibilities

The primary responsibility for the implementation of this Bullying and Harassment Policy is that of management. However, all staff members have a responsibility to show respect to other members of staff and other individuals with whom they have contact in the course of carrying out their duties for the Diocese.

Status of this policy

Whilst the Diocese will fulfil its legal obligations, the Diocese reserves the right to review it and to change it from time to time; it does not form part of individual contracts of employment.

* The Equality Act 2010 defines protected characteristics as follows:

Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation

** Under the Equality Act 2010, harassment is unlawful.

Bullying on grounds of a protected characteristic is also unlawful.

Other forms of bullying may also result in a contravention of the law.