

# Harassment & Bullying Policy

VERSION: JULY 2020

## 1. THE POLICY

- 1.1 It is the Diocese's policy to maintain a non-discriminatory working environment which is free from harassment. For this reason, the harassment of staff by any person (management, clergy or colleague) is strictly prohibited. All staff and clergy have a personal responsibility to behave in a manner which is not offensive to others. Staff members and clergy are reminded that many forms of harassment are, in fact, unlawful and individuals may be held personally liable for such conduct, including criminal prosecution.
- 1.2 The Diocese takes all allegations of harassment very seriously. Any complaint will be thoroughly and promptly investigated. Where allegations are substantiated, appropriate disciplinary action will be taken against anyone responsible which may include dismissal.

## 2. DEFINITIONS

- 2.1 **Harassment:** harassment can be generally described as “unwanted conduct which affects the dignity of women or men at work; it encompasses unwelcome physical, verbal or non-verbal behaviour which denigrates or ridicules or is intimidatory”. The essential characteristics of harassment is that the action(s) is unwanted by the recipient.
- 2.2 **General Harassment:** harassment can take many forms and may be directed in particular against women and ethnic minorities or towards people because of their age, sexual orientation, physical or mental disability or some other characteristic. It may involve action, behaviour, comment or physical contact which is found to be objectionable or which causes offence; it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment.
- 2.3 **Sexual harassment:** is defined as any unwelcome, unreciprocated, unreasonable and/or offensive conduct of a sexual nature which is offensive to the person involved and causes that person to feel threatened, humiliated or embarrassed. This may be physical, verbal or non-verbal conduct. Examples include:
  - unwelcome sexual attention including physical contact;
  - requests for sexual favours, including implied or overt promises of preferential treatment or threats concerning present or future employment status;
  - insults, derogatory comments, innuendo, ridicule or "jokes" of a sexual nature;
  - display or circulation of sexually suggestive material.

Sexual harassment may be experienced by men or women as a result of the conduct of men or women. It applies equally regardless of grade or level of job and may also occur when dealing with external suppliers and/or members of the public.

Sexual harassment can be persistent and repeated, continuing after the person subjected to it makes it clear they want it to stop. However, a single incident can also constitute sexual harassment if it is sufficiently serious.

**2.4 Racial or Sectarian Harassment:** in the workplace, racial or sectarian (religious) harassment may take the form of actual or threatened physical abuse or it may involve offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature or offensive remarks about a person's skin colour, physical characteristics or religion. It may also include repeated exclusion of a person from an ethnic or religious minority from conversations, patronising remarks, unfair allocation of work or pressure about the speed and or quality of their work in a way which differs from the treatment of other employees.

**2.5 Bullying:** Bullying is the intimidation or belittling of someone through the misuse of power or position which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above.

The following are examples of bullying:

- unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of others;
- spreading malicious rumours or making malicious allegations;
- intimidation or ridicule of individuals with disabilities and or learning difficulties;
- ignoring or excluding an individual from the team group.

### **3. RESPONSIBILITIES OF MANAGERS**

3.1 Every manager has an obligation to prevent harassment/bullying and to take immediate action once it has been identified, whether or not a complaint has been made.

3.2 Allegations of harassment or bullying, received either informally or formally through the Grievance Procedure, must be dealt with promptly and sensitively.

3.3 It is important that managers recognise that sexual harassment is any sexual advance unwanted by the recipient or behaviour which causes offence to the recipient. Similarly, racial harassment is behaviour which is racially offensive to the recipient. Managers must therefore take care to ensure that they do not pre-judge situations based on their own sexual or racial attitudes or perceptions.

3.4 It may not always be appropriate for a line manager to be involved with specific complaints. For example, if the complainant is male and wishes to speak to a male, but the line manager is female, or, if the complaint relates to the conduct of the line manager. The procedure in section 6 sets out the alternatives for such circumstances.

### **4. RESPONSIBILITIES OF ALL STAFF MEMBERS**

4.1 Every staff member has a personal responsibility NOT to harass or bully other members of staff.

- 4.2 A staff member who becomes aware of harassment or bullying occurring should bring the matter to the attention of his/her manager.

## 5. REDRESS

- 5.1 A staff member who feels that they have been harassed or bullied has a right to seek redress via the complaints procedure set out below.

## 6. COMPLAINTS PROCEDURE

- 6.1 The Diocese's primary aim is to prevent harassment from occurring in the first place. If it happens, our objective is to prevent it recurring. Wherever possible and appropriate, every effort will be made to resolve the situation on an informal basis in the first instance. If this is not possible, we will take formal action to investigate and take whatever steps are necessary. As far as possible, confidentiality will be maintained throughout the investigation and anyone bringing a complaint will be protected against victimisation.
- 6.2 So that the Diocese can deal with any complaints fairly, please comply with this policy to ensure that all staff members are treated with respect and dignity.
- 6.3 **The First Step:** if you believe that you have been harassed, as a first step, you should make it clear that the harassment is offensive, unacceptable, unwanted and/or interfering with your work and ask the harasser to stop. If possible, be seen to resolve the situation personally to the harasser. If, however, you find such action to be too difficult or embarrassing, you may prefer to write or ask a colleague to speak to the harasser. This may often be sufficient to prevent further harassment, particularly if the harasser is unaware that he/she has been causing offence to you.
- 6.4 This action should be taken as soon as the harassment becomes apparent or as soon as practicable. Any informal action taken by you should be recorded with a note of the date and what was said in case the harassment continues or subsequently recurs.
- 6.5 Behaviour by a person which was not previously considered unwelcome may become so for various reasons. In this case, you must state that it is unwelcome as soon as it becomes so. The matter should then be dealt with in the same way as other harassment.
- 6.6 **The Second Step:** there is no obligation on you to take matters further. However, in view of the sensitivity of this subject, if you do not wish to approach the person who is harassing you or your immediate manager or if the harassment continues following a request to stop, you should report the matter in confidence to the Human Resources Department at Bishop's House, Hove, whichever is appropriate.
- 6.7 The Diocese will carry out a full investigation into any complaint of harassment or bullying and with due respect for you and the alleged harasser. The person carrying out the investigation will not be connected with the allegation and every effort will be made to resolve complaints speedily. Where it is necessary to interview witnesses, the Diocese will endeavour to maintain confidentiality. We will also allow the alleged harasser a full opportunity to respond to the allegations as part of the investigation process. Because of the sensitivity we will endeavour to maintain confidentiality where we can. You will then be invited to attend a meeting to discuss your complaint at which you may be accompanied by a work colleague, if you wish. You will then be informed of the outcome of the Diocese's decision which will be confirmed in writing.
- 6.8 If the situation cannot be resolved informally then the complainant has the right to pursue their complaint formally via the Diocese's Grievance Procedure.

- 6.9 Where a complaint is upheld it will be treated as a disciplinary offence which may result in a warning, transfer, demotion or even summary dismissal depending upon the seriousness of the conduct and the complaint. It is also a disciplinary offence to victimise or retaliate against a staff member for bringing a complaint.

## **7. APPEAL**

- 7.1 If you wish to appeal against the Diocese's decision, you should do so in writing to the Human Resources Department at Bishop's House, Hove, within 7 days of the decision being notified to you. The Diocese will arrange a meeting with you and consider the investigation. You will also be entitled to make representations and be accompanied by a work colleague. The Diocese will then notify you of any decision which is final.

## **8. INDEPENDENT SUPPORT**

- 8.1 At any stage in the process the complainant, the manager dealing with the complaint or the accused may feel that they need the help of an independent person before deciding on the best course of action. The Diocese will provide confidential advice and assistance where possible, including:

- advising on the nature of harassment;
- offering guidance on resolving harassment problems, including acting as an independent broker;
- advising on the use of the Diocese's Grievance Procedure.

- 8.2 These individuals will generally be employees of the Diocese and can be supplied in confidence from the HR Department.

## **9. COMMUNICATION AND TRAINING**

- 9.1 All staff will be informed of the Harassment Policy and complaints procedure. They will be reassured regarding:

- fear that others will consider the behaviour trivial and not take complaints seriously;
- fear that no action will be taken against a person guilty of harassment;
- fear of retaliation or victimisation in registering a complaint either informally or formally through the Grievance Procedure.

- 9.2 The Harassment Policy and procedures will be available to all staff on the Diocesan website.

## **Approval**

This policy was approved by the Diocesan Board of Trustees on:  
The next review is due by:

8 July 2020  
31 July 2022