

Ascension Church, Haywards Heath

Freely you have received, freely give. Matt 10:8

Anti Harassment & Bullying Policy for Adults

Policy

Our aim is to provide an environment that respects the rights of each individual, where people treat each other with respect. Any behaviour that undermines this aim is unacceptable.

The Church does not tolerate any form of harassment or bullying under any circumstances. While implementing and upholding the policy is the duty of all of our staff, church officers, and those appointed as volunteers, everyone has a responsibility to ensure that harassment does not occur.

Principles and procedures

The following procedure has been designed to inform everyone about the type of behaviour that is unacceptable and provides those who are the victims of harassment and bullying with a means of redress.

Harassment

Definition

Harassment is unwanted conduct related to a relevant protected characteristic (an area covered by discrimination legislation) which has the purpose or effect of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive working environment for them.

Harassment will also occur where someone is treated less favourably because he or she has rejected or refused to submit to sex-based harassment, sexual harassment or gender reassignment harassment.

Where it cannot be established that there was an intention to offend, conduct will only be regarded as violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment if, taking all the circumstances into account it would be reasonable to come to that conclusion.

People can be subjected to harassment on a wide variety of grounds. Some examples are:

- Sex-based (purely because of gender) or sexual (sexual in nature)
- Sexual orientation
- Trans-sexualism (gender reassignment)
- Being married or a civil partner
- Race, nationality, ethnic origin, national origin or skin colour

- Disability itself, or a reason relating to it
- Age
- Employment status, e.g. part-time, fixed-term
- Membership or non-membership of an organisation
- Carrying out duties
- Religion or religious beliefs or lack of either
- Deeply held personal beliefs or lack of them
- Political beliefs
- Criminal record
- Health, e.g. AIDS/HIV sufferers
- Physical characteristics
- Social class
- Willingness to challenge harassment – being ridiculed or victimised for raising a complaint

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it reoccurs, once it has been made clear by the victim that they consider it offensive. One incident may constitute harassment, however, if it is sufficiently serious. Harassment on any grounds, including the above, will not be tolerated.

Harassment whilst working is unlawful under the Equality Act 2010.

The church together with anyone who fails to take steps to prevent harassment or investigate complaints may be held liable for their unlawful actions and be required to pay damages to the victim, as will the person who has committed the act of harassment. There is no limit to the compensation that can be awarded in e.g. employment tribunals for acts of harassment.

The church will also be liable for harassment that comes from a third party (e.g. a supplier or visitor) if that harassment occurs on at least two occasions, the organisation is aware that it has happened and does nothing to stop it happening.

Harassment on any grounds is also a criminal offence, primarily under the Protection from Harassment Act 1997. This means that those who suffer harassment may contact the police, in the case of harassment. Those found guilty face fines or periods of imprisonment of up to two years.

Additionally, anyone may sue another person personally for the damage and distress caused. The church may be held vicariously liable under the Protection from Harassment Act for any harassment perpetrated by an employee, officer or volunteer whenever the behaviour in question is closely connected to the church.

Examples of harassment

Everyone must recognise that what is acceptable to one person may not be acceptable to another. Examples of harassment include:

- Verbal – crude language, open hostility, offensive jokes, suggestive remarks, innuendoes, rude or vulgar comments, malicious gossip and offensive songs.
- Non-verbal – wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive

screen-savers), graffiti, offensive letters, offensive e-mails, text messages on mobile phones and offensive objects.

- Physical – unnecessary touching, patting, pinching or brushing against another person's body, intimidating behaviour, assault and physical coercion.
- Coercion – pressure for sexual favours (e.g. in return for an advantage) and pressure to participate in political, religious or organisations, etc.
- Isolation or non-cooperation and exclusion from social activities.
- Intrusion – following, pestering, spying, etc.

Bullying

Definition

Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.

Examples of bullying

Bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone. These can be split into two categories:

The obvious:

- Shouting or swearing at people in public and private.
- Persistent criticism.
- Ignoring or deliberately excluding people.
- Persecution through threats and instilling fear.
- Spreading malicious rumours.
- Constantly undervaluing effort.
- Dispensing disciplinary action that is totally unjustified.
- Spontaneous rages, often over trivial matters.

The less obvious:

- Withholding information or supplying incorrect information.
- Deliberately sabotaging or impeding people in the performance of their duties.
- Constantly changing targets.
- Setting individuals up to fail by imposing impossible deadlines.
- Levelling unfair criticism about performance the night before someone goes on holiday.
- Removing areas of responsibility and imposing menial tasks.
- Blocking volunteering or training opportunities.

The actions listed must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

The impact of harassment and bullying

Harassment and bullying can lead to illness, not turning up, an apparent lack of commitment, poor performance and resignation.

The damage, tension and conflict that harassment and bullying creates, should not be underestimated. The result is not just poor morale, but difficulty in recruiting volunteers and helpers, reduced productivity, divided teams, poor service and poor end results.

Public image can be badly damaged when incidents of harassment and bullying occur, particularly when they attract media attention.

Enforcement with employees and volunteers

Any harassment or bullying will be classed as gross misconduct, for which employees or volunteers may be summarily dismissed from their roles. All employees and volunteers will be informed of this policy at induction and through communication and awareness programmes. It will be stressed that all complaints of harassment will be treated seriously.

The church expects everyone to ensure that this policy and procedure is adhered to at all times and expects everyone to respect the dignity of others.

Procedures

Advice

The church recognises the sensitive nature of harassment and bullying. Anyone who believes they are being harassed or bullied may wish to discuss their situation before deciding what action to take.

The church operates an open-door policy to discuss problems and suggests that concerns are discussed with the Parish Safeguarding Officer or incumbent on an informal basis.

The church recognises that this may not always be appropriate in the circumstances, and the Diocesan Safeguarding Team can always be approached as an alternative solution.

Advisers will:

- ensure the conversation remains confidential as far as possible;
- listen sympathetically;
- help individuals consider objectively what has happened;
- discuss what outcome the individual would wish to see;
- draw attention to available procedures and options;
- inform the individual of the legal liabilities involved;
- help weigh up the alternatives, but without pressure to adopt any particular course;
- assist the individual in dealing with the situation, if they ask for help.

Confidentiality will be maintained as far as possible. If anyone decides not to take any action to deal with the problem and the circumstances described are very serious, however, the church reserves the right to investigate the situation and involve the Diocese where it considers it appropriate.

It has an overall duty of care to ensure the safety of everyone who may be adversely affected by the alleged harasser's/ bully's behaviour.

Solutions

It is for the individual to decide which route to take in solving any problem that has occurred. There are two types of solution available – informal and formal.

Informal

People can choose to solve the matter themselves by approaching the harasser or bully, telling him or her that their behaviour is unwelcome and that it must stop. Otherwise a formal complaint will be made using the procedure outlined below.

If victims would find it difficult or embarrassing to raise the issue directly with the person creating the problem, support can be sought from a friend who can accompany the victim when speaking to the harasser or bully.

A third option, is that the victim can put his or her views in writing to the harasser or bully, telling him or her that their behaviour is unacceptable and that it must stop.

Formal

Where informal solutions fail, or serious harassment or bullying occurs, anyone can bring a formal complaint using the church's complaints policy, with the procedure adapted to take account of the sensitivities of such situations. Each step and action under the formal complaints procedure will be taken without unreasonable delay.

Complaints will be investigated swiftly and confidentially while ensuring that the rights of both the alleged victim and the alleged harasser or bully are protected. Witnesses can be assured that they will not be ridiculed or victimised for making, or assisting anyone in making, a complaint, even if it is not upheld, as long as it is made in good faith. Everyone involved in the investigation, including witnesses, will be required to maintain confidentiality – a failure to do so will be taken very seriously.

Full records will be kept of the complaints proceedings and copies of meeting records given to the complainant.

Monitoring

Where harassment or bullying has been found to have occurred and the perpetrator remains in the church, regular checks will be made to ensure that harassment has stopped and that there has been no victimisation or retaliation against the victim. The church will also ensure that the person who committed the act of harassment or bullying is not victimised in any way.

Malicious complaints

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be subject to such follow up, as is considered appropriate by the incumbent and PCC, in consultation with the Diocese, as appropriate, as will any witnesses who have deliberately misled the church during its investigations.

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