

Appendix X

Responding to allegations of bullying or harassment

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Bullying and Harassment

Introduction

This document is offered to local churches, all people with ministries, or holding office, in the United Reformed Church, including those exercising the Ministry of Word and Sacraments and the Ministry of Church Related Community Work (hereafter, both referred to as ministers) and those who have responsibility for caring for them.

The United Reformed Church acknowledges that bullying and harassment do occur within local churches and the wider councils. It is important that people should know where to find help if they believe themselves to have been bullied, and that those responsible for pastoral care should be vigilant for signs that bullying may be occurring. These guidelines are offered to enable the parties concerned to respond appropriately.

Conflict is a reality in every human organisation. It can be positive when it presses us to confront difficult issues and disagreements that we might prefer to avoid. It can be creative. However, abuse against individuals or groups within the church is unacceptable.

ACAS produces two booklets dealing with Bullying and Harassment and available to download from its website:

- Guide for employees – <http://bit.ly/38dIIIGY>
- Guide for managers and employers – <http://bit.ly/2wf7JE2>

Whilst these guides are primarily intended for workplaces the advice and guidance apply equally well in other non-employment situations.

Harassment and discrimination are also addressed in United Reformed Church Policy documents held in the Church House public folders:

- Harassment and Bullying Policy and Procedure for Church House Staff – reviewed November 2019
- Equalities Policy and Procedure for Church House Staff – reviewed November 2019

Definitions

Harassment is defined in the Equality Act 2010 as:

‘Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile or offensive environment for that individual.’

Harassment of a sexual nature is one of the most common forms of harassment and, along with harassment related to any of the protected characteristics listed here, is outlawed by the Equality Act 2010.

- age
- sex
- disability
- gender identity
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sexual orientation

There is no legal definition, in the same way, of Bullying. However, it is usually characterised as:

Offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Most people use the terms interchangeably and it is not always easy to distinguish between the two.

Bullying is persistent. It exploits imbalances of power, as between stronger and weaker children on a playground – or between a church treasurer and a minister claiming expenses. It includes online and text/telephone bullying. Section 3 below is a list of behaviours which can legitimately be regarded as bullying, and these may be helpful to an individual seeking confirmation that the treatment s/he has been receiving does indeed constitute bullying.

Ministers are sometimes the targets of bullying. They can also be bullies themselves. Elders have a duty of care to both ministers and church members.

Churches may unwittingly bully a minister or member. There may be a situation where one person is singled out for public criticism, as in the case of a fabric committee convener, organist or youth leader being “reviewed” by an elders or church meeting. Individuals may find themselves isolated because they have expressed an unpopular opinion. Where a church is in pain it will sometimes look for a scapegoat and bullying becomes the oppressive tool.

Churches can also be the victims of a bully. It is not uncommon for someone with an aggressive personality to intimidate an entire congregation.

Cases of bullying and harassment create safeguarding concerns about emotional (and often discriminatory) abuse for adults as well as children. Good Practice 5 (the URC’s safeguarding handbook) recognises a broad spectrum of situations that might affect any child or adult ‘who, due to disability, mental function, age, or illness or traumatic circumstances, may not be able to take care or protect themselves against the risk of significant harm, abuse, bullying, harassment, mistreatment or exploitation’ (GP-5 Page 16)

In the context of the United Reformed Church there is accountability and mutual responsibility for leadership especially in the Elders Meeting. This means that Ministers and Church officers should expect healthy debate and sometimes correction about the way they function. Bullying only starts when that proper discussion gets seriously out of hand.

Examples of bullying/harassing behaviour

This list of behaviours is not exhaustive but gives a clear indication of the sorts of actions that constitute bullying or harassment

- a. removing areas of responsibility without discussion or notice
- b. isolating someone or deliberately ignoring or excluding them from activities
- c. consistently attacking someone’s professional or personal standing
- d. setting out to make someone appear incompetent
- e. persistently picking on someone in front of others
- f. deliberate sabotage of work or actions
- g. deliberately withholding information or providing incorrect information.
- h. overloading with work/reducing deadlines without paying attention to any protest
- i. displays of offensive material
- j. use of e-mails to reprimand, insult or otherwise inform someone of their apparent failing, either to the individual or to third parties
- k. cyber bullying including on social media such as Facebook
- l. repeatedly shouting or swearing in public or in private
- m. spreading malicious rumours to third parties
- n. public humiliation by constant innuendo, belittling and ‘putting down’
- o. personal insults and name-calling
- p. aggressive gestures, verbal threats and intimidation
- q. persistent threats about security

- r. making false accusations
- s. aggressive bodily posture or physical contact
- t. talking/shouting directly into someone's face
- u. direct physical intimidation, violence or assault

Bullying and harassment are not necessarily face to face. They may also occur over the phone, in written communication including email and texts and through social media.

Theological Reflection

Every person is made in the image of God and reverence should undergird all our relationships. This is an easy thing to say but a lifelong challenge to live. The very fact of our diversity puts us at odds with one another: this has been the human experience from Cain and Abel to the present day.

The domination of the weak by the strong is a dynamic built into the natural world of which we are a part. But we believe that we are called to a better way. In Christ we see a God for whom no one is expendable. Indeed, it is precisely in "the least of these" that we are invited to encounter Christ in our own lives. To follow Christ is to treat each person with respect and to negotiate disagreements honourably.

This challenge is not merely a matter of individual discipleship. It is also the basis for a calling which rests upon the church as a community seeking to follow Jesus command "Love one another as I have loved you". The church must constantly strive to reflect the highest standards in personal and corporate behaviour.

Consequences of Harassment and bullying

A person who is harassed or bullied may experience any number of stress responses: tears, anxiety, low morale, vulnerability, lack of confidence, anger, shame or depression. S/he may want to withdraw in self-protection. S/he may also find it impossible to pray, with a resulting crisis of faith. Destructive behaviours may develop: a victim-like refusal to engage, a loss of sensitivity to others, aggressiveness, self-harming or alcohol or drug misuse, to name a few. There may be physical symptoms such as asthma, hypertension, sleeping or eating disorders, sexual dysfunction or migraine.

Congregations that are bullied may develop a bullying culture with "no-go areas" to avoid discussion of painful issues. They may allow destructive behaviour to continue because they do not have the strength to confront it. A minister or member may find him/herself continually rushing around soothing ruffled feathers and persuading others not to resign in the face of behaviour which goes unchallenged. Where such dynamics operate, church meetings cannot do their work and worship may begin to feel hollow. The church may also acquire a negative reputation in the community.

These effects may be serious and long-lasting. It is essential that cries for help be taken seriously. It is also important to recognise that a person who is the victim of bullying may be reluctant to seek help, either because his/her confidence has been undermined, because s/he feels ashamed

or responsible, or because s/he believes that objecting to inappropriate behaviour will cause unacceptable disruption to important relationships. In such cases it may fall to a third party, whether an elder, another minister, a friend, etc. to call the attention of the wider church to what is happening.

In the United Reformed Church there are distinctions between those who are subject to grievance and disciplinary procedures and those who are not and this has consequences in dealing with bullying.

Prevention

Identifying bullying is not always easy, but the best prevention is the church's determination not to tolerate unacceptable behaviour. While all of us have bad days and say or do things that we later regret, a healthy community will be a place where apologies are offered and forgiveness is expressed. However, these are difficult issues and apologies may not bring peace to either party, without support to discuss the pain experienced and space to work through the conflict constructively.

The United Reformed Church has structures in place which offer the foundation for good relationships and mutual understanding:

- Separate Guidelines on Conduct and Behaviour for Ministers of Word and Sacraments, Church Related Community Workers and elders (General Assembly 2010)
- Role descriptions for ministers and other leaders through LMMR – the Local Mission & Ministry Review – so that expectations are clear
- Terms of settlement for ministers, which should be explicit on such matters as holiday entitlement, working hours and claimable expenses

Given that money and conflicting role expectations, as well as power and position, can be frequent triggers for bullying behaviour, clarity on these matters provides a framework for good relationships. Not everyone is covered by these guidelines, so it is helpful to remind everybody that treating others with respect and dignity is an essential part of life in the church.

Ministers should take responsibility to ensure that they have the pastoral support they need. It is not realistic for the synod moderator to be the sole provider of support. Ministry is demanding, particularly in a time of change and uncertainty, and it is inevitable that ministers will sometimes find themselves at the receiving end of someone's distress or strong disagreement. While intimidating behaviour is always undesirable, a one-off loss of control can be forgiven in the context of a relationship of trust. It is important that every minister has someone to turn to in times of stress and difficulty both for personal and pastoral support and for technical support to help them change the environment by working through the processes available.

Acting on Bullying and Harassment

Making an allegation

Someone who believes that s/he has been the target of harassment or bullying, or a third party witnessing such behaviour, should not hesitate to seek help. The sooner this is done the better, even if they are not certain that it is bullying, but they feel that someone's conduct displays unwanted behaviour. Such request for help should always be treated seriously. In a local church, the minister, church secretary or chair of the local CRCW committee, would normally be the first port of call. Where that is inappropriate, the synod moderator may be contacted. An allegation against a synod moderator should be directed to the General Secretary.

The following steps will assist others in addressing the problem, and support should always be provided so that an adequate disclosure can be made.

- Assemble the facts. Keep a log with the date of each incident and a description of what happened. Keep a record of emails and letters, as well as notes of conversations and telephone calls.
- Where possible, note the names of witnesses.
- Provide a copy of whatever role description may exist if the bullying or harassment has been about the performance of duties.
- Record consequences as well as actions, including any impact on health, emotional well-being, role performance and/or other relationships.
- If other people have been affected, note this too. Consult them as to whether they would be prepared to disclose their experiences as well.
- Make sure that you have the personal support you need. Put this in place yourself if it is not adequately forthcoming from the church.

Intervening on behalf of someone else

Where bullying is suspected to be occurring, it is important not to remain silent. In the first instance a witness should speak privately with the person(s) perceived to be the victims of bullying. Several questions should be explored:

- Is the behaviour untypical and associated with a contained situation of conflict or is it part of an ongoing pattern? (Remember that each separate incident may appear trivial. The bullying may lie in the persistent nature of the harassment.)
- What action, if any, has the recipient taken to challenge the aggressive behaviour?
- If no action has been taken, what is the reason for this?
- If action has been taken, what effect has it had?

Following such exploration there will be a judgment to be made. If the person on the receiving end of aggressive behaviour sees it as an isolated incident or otherwise feels in control, it is possible that the situation should simply be monitored over an agreed period to determine whether further action is needed. However, a witness should not hesitate to report the situation to the synod moderator, pastoral committee convener or General Secretary (if the moderator is

perceived to be the bully) as an act of intervention if s/he believes that persistent bullying is occurring and that the person being bullied is unable or unwilling to act in his/her own defence. This decision must be taken with sensitivity as it could be experienced as compounding the bullying. However, the United Reformed Church can only act if those who witness harassing behaviour do not conceal or deny it.

Responding to an allegation of harassment or bullying

Whenever an allegation is made, the person receiving it should take it seriously. Such accusations are often hard to make, but care needs to be taken that the accusation is not malicious. Steps should be taken to ensure that pastoral support is made available to the complainant, the alleged perpetrator (as appropriate), and any others who may be affected, such as the family of the complainant or other people involved in the situation.

Confidentiality should be carefully maintained for the protection of all concerned: the complainant, the alleged perpetrator, innocent bystanders, and the church itself. Where there is any danger of reputational damage to the church, particularly if there is the possibility of media interest, the URC Press Officer, is available to offer guidance (020 7520 2715).

The following strategies are recommended as good practice.

1. An exploration of whether there is anything to investigate further. It is not always easy to tell where the fault lies. It might be with an alleged perpetrator or with a malicious complainant.
2. Informal approach. Sometimes a complainant may want support in an honest discussion with the other person involved about what has happened with the expectation that the person who has acted inappropriately will be prepared to hear and apologise. (See Matthew 18:15-17, which indicates that when one person has been unable to make an offender take notice, two people should then go.)
3. Mediation. After an informal approach and if both parties want to find reconciliation and healing of the relationship, a trained mediator can lead them through a process of listening, extending and accepting apologies, and identifying solutions for the future. Mediation is future-oriented: it is not concerned with past grievances as much as future well-being. This mediation should be exercised by someone other than the synod moderator so that they remain available for oversight of the broader picture and care for all concerned. It may be appropriate to use a mediator from another Synod and it is always important that the mediator is well trained and experienced.
4. A complainant should never be pressured to confront an alleged perpetrator.
5. Formal procedure.
 - a. In the case of an allegation against a minister, the caution stage of the Ministerial Disciplinary Process offers a suitable procedure (see The Manual, Section O, AA Caution Stage). Very serious cases might warrant the bypassing of the caution stage and reference to the commission stage of the Disciplinary Process itself.
 - b. In the case of an allegation by a minister against a church member or members, a local church/post, a ministerial colleague, the synod moderator or synod officers, the grievance procedure pertains.
 - c. The right of appeal exists in these procedures.

- d. It is always essential that those using the procedures should be well trained in using them.
6. Outcomes. Where bullying or harassment has taken place, successful resolution of the situation includes an acknowledgement on the part of the perpetrator, identification of any underlying causes with strategies for addressing them where possible, the offering and receiving of apologies, and the willingness of the perpetrator to accept help in changing his/her behaviour. A formal mechanism to review the situation in an appropriate time frame should be agreed.
7. Legal action. Where there has been physical violence or serious psychological or sexual abuse, it is a police matter. The church should encourage and support contacting the police in this situation.
8. False allegations. Where investigation reveals that an accusation has been made maliciously, this is a disciplinary offence. There may be issues of mental illness or other mitigating circumstances to consider. However, given the damage to the reputation of the person accused, some form of public exoneration may be appropriate.
9. Evaluation. There will always be lessons to be learned from intervention in a situation of bullying or harassment. Time should be set aside for serious consideration of what has been learned and how new insights might be shared, including the suggestion of amendments to URC guidelines and procedures.

If accused of bullying or harassment

- Take the matter seriously. Consider your behaviour and do not be too quick to dismiss an accusation as a sign that the other person has a problem.
- Where apologies are due, offer them. But recognise that an apology might not be enough to restore right relations.
- Allegations must be proven and there is no automatic assumption that you are guilty. However, denials will not be taken at face value. Bullying and harassment are serious matters and require investigation.
- Do not hesitate to seek help and support from the wider church where you fear that local church processes are not strong enough to address serious accusations. Trained mediators are available to advise and assist: these may be recruited from outside the synod if necessary.
- If formal procedures are instigated, give them your full cooperation.
- Make sure that you have the personal support you need. Put this in place yourself if it is not adequately forthcoming from the church.

**URC Assembly Equalities Committee
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