

Responding to allegations of bullying or harassment

Contents

Definitions	2
Examples of bullying/harassing behaviour	3
Theological reflection	3
Consequences of harassment and bullying	4
Prevention	4
Making an allegation	5
	5
	6
	7

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 reassignment

Marriage and civil partnership

Pregnancy and maternity

Religion or belief

Sexual orientation.

Further details on how these characteristics are defined can be found at:

www.legislation.gov.uk/ukpga/2010/15/section/4

There is no legal definition, in the same way, of bullying. However, it is usually characterised as: ***Offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, intended to cause hurt or pain or to 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 in a playground – or between a church treasurer and a minister claiming expenses. It includes online and text/telephone bullying. Section 3 below provides 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.

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

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 Minister's Ministry

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 Communications 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 procedures:
 - a. The URC Complaints Procedure (Section Q of The Manual) which can be accessed by anyone involved in the life of the church.

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