

A: An Introduction from the Bishop in Europe

My sisters and brothers:

Relationships lie at the heart of the Body of Christ and we are called as Christians to love and respect one another, to be kind, to care and to build one another up. Sadly though, there are occasions when status and power are used inappropriately and where certain behaviours lead people to feel bullied or harassed.

In 2018 the Diocesan Synod authorised a policy for preventing bullying and harassment in the Diocese in Europe. The 2018 policy has not become as well-known as I would have liked, and in any case stands in need of revision. The following revised policy has been approved by Diocesan Synod and I commend it to you. I request that you read it, discuss it in your staff meetings and Chaplaincy Councils, and make the members of your congregation know that challenging abusive behaviour is a priority of this Diocese. Please pay careful attention to the procedures outlined for reporting bullying.

Bullying takes many forms including seeking to undermine authority, making unfounded accusations, barrages of emails, and actual physical intimidation. Bullying mocks our calling to be “one in spirit and of one mind” (Philippians 2.2). It harms those who are the targets of abuse, whether ordained or lay. It is completely contrary to our call to love one another. Quite frankly, bullying is sinful, and its presence among us is intolerable.

We will support those who are bullied – individuals and families. We will take seriously all reported cases of bullying and endeavour to deal with each case promptly. Pastoral care will be offered to those targeted and reporting bullying, as well as to the person who is accused of such behaviour. We will observe due process and the principles of fundamental justice, so that any accusation is dealt with fairly.

Bullying and abuse can devastate an individual. It can create a toxic environment where the gospel is undermined. Abusive behaviour must not be ignored or swept under the carpet. On the other hand, we must also take care that an accusation of bullying does not itself become weaponized as a form of persecution. Challenging bullying and taking steps to prevent its emergence is part of the healing ministry we have received from Christ.

We are collectively the Body of Christ, and we are sent into the world just as Jesus was sent by the Father, but the unfortunate reality is that we nevertheless bring our broken, sinful, selves into the church. I believe the policy which follows is an effective way of dealing with bullying and abuse so that our Diocese can be a means of God’s grace and healing. It is part of the evolution of the way we demonstrate mutual care and concern for each other. May the Holy Spirit inspire us to have the mind of Christ to apply this policy so in accord with divine will that others may see our good works and give God glory.

+Robert Gibraltar in Europe

B: THE POLICY STATEMENT

The Diocese in Europe will

1. Take the position that any form of bullying or harassment perpetrated by any member of the laity or clergy within the Diocese towards another person is totally unacceptable.
2. Call on all who are involved in the Diocese to promote and personally adopt a Christian culture of tolerance, respect and understanding.
3. Encourage those who believe themselves to be victims of bullying or harassment in any form to report this without delay to a person as outlined in this process. Individuals must not ignore bullying or harassment of another person and '*walking by on the other side*' is not acceptable.
4. Support those who claim to have been bullied or harassed, as well as those who are accused of bullying or harassment.
5. Thoroughly investigate all situations where bullying or harassment has been alleged.
6. Take appropriate action to address problems that are identified in a timely fashion.
7. Recognise that some complaints of a persistent, or particularly abusive nature might have to be treated as vexatious and will not be given attention under this policy.
8. Ensure confidentiality. Normally, the process and outcome outlined in this policy are confidential, and information should be shared only on a need-to-know basis – i.e. the complainant and respondent, the panel, and those who are to be notified as described below. Public announcements may only be made with the approval of the bishop's office and the registrar. The process is not a matter for gossip, and the sharing of information should be done with regard to privacy laws and only on a "need to know" basis.

This policy applies to all activities undertaken within the Diocese by all ordained and lay people in chaplaincies and communities irrespective of whether they are in a remunerated or voluntary role. Equivalent policies are part of the Staff Handbooks for employees of the Diocesan Board of Finance and the Bishop's Office.

This enforcement of this policy and its procedures are deemed to be part of the normal oversight exercised by the diocesan bishop. It was approved by the Synod of the Diocese in Europe on 7th June 2022.

C: Does the Complaint Involve Bullying or Harassment?

1. Who is this policy for?

This policy is to be used by anybody, lay or ordained, who feels that they have been bullied or harassed.¹ This complaint policy will also be used by those within the Diocese in Europe who are appointed to administer the policy, as well as by those who are named by the complainant.

2. What is bullying and harassment?

- a. **Bullying:** is the use of verbal, written or physical force, threat, or coercion to abuse, intimidate or aggressively dominate others. It is usually persistent, often unpredictable, and can amount to severe physical or psychological intimidation. It can be continuous, frequent and repetitive.²
- b. **Harassment:** means any improper and unwelcome conduct that might reasonably be expected to cause, or be perceived to cause, offence or humiliation to another. It includes negative behaviour based on any grounds such as race, colour, ethnic origin, physical attributes, gender, sexuality or any other perceived difference. It can be a one-off or a series of incidents.

In reality the lines between bullying and harassment may be blurred – the important matter is that they are equally unacceptable. Bullying and harassment are not normally a one-off event, but a persistent and repeated behaviour. Please note that these descriptions are not exhaustive.

3. What is Not Bullying or Harassment?

Bullying and harassment is not the same as a reasonable assessment of an individual's work/volunteer performance made as part of regular evaluation and feedback procedures, delivered in an appropriate way.

In any setting there will always be scope for robust challenging of an opinion or expressing an alternate view. Indeed, such exchanges are a part of a healthy exchange of ideas. Where these are associated with a single episode or a one-off event they are **not** evidence of bullying or harassment though, of course, if inappropriately expressed they may cause offence.

¹ Employees of the Diocesan Board of Finance are covered by the processes in the Staff Handbook.

² Another definition used in Safeguarding for children: "Bullying is behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. Bullying can take many forms (for instance, cyber-bullying via text messages, social media or gaming, which can include the use of images and video) and is often motivated by prejudice against particular groups, for example on grounds of race, religion, gender, sexual orientation, special educational needs or disabilities, or because a child is adopted, in care or has caring responsibilities. It might be motivated by actual differences between children, or perceived differences." <https://safeguarding.network/content/safeguarding-resources/bullying/>

4. Is it a safeguarding issue?

Whilst many instances of bullying or harassment are **not** a safeguarding matter, the following behaviours do fall within the safeguarding arena:

- The person who is the object of abuse is a child or a vulnerable adult.
- An individual is seeking to exploit a vulnerable person to gain sexual activity of any nature, physical or emotional.
- A person is seeking to gain financial advantage over a vulnerable individual.
- A person is seeking to cause physical or emotional harm.
- Domestic violence.

In any of these instances the matter must be reported without delay, as required by the Diocesan Safeguarding Policy, no matter how trivial the issue might seem.

Archdeacons and/or the complainant may refer a concern to the Safeguarding Team. The Safeguarding Team will process the complaint through triaging to establish whether threshold has been met for their intervention. An outcome notification will be sent to the referrer.

For contact information regarding Safeguarding, see
<https://europe.anglican.org/safeguarding/who-to-contact>

If you have been the subject of bullying or harassment as described above, then you may use the following procedures. Likewise, if someone you know has been bullied or harassed, please offer them such assistance as necessary to access the procedures of this policy.

D: How to Make a Complaint

1. The Importance of Reporting Bullying or Harassment

- a. Anyone who believes they (or someone else) are being bullied or harassed is encouraged to report this as soon as possible so that the appropriate action can be promptly taken.
- b. Reporting such behaviour is not an admission of failure by the individual or a reflection on their ability to undertake their ministry.
- c. It is essential that reporting is not delayed because of any perceived impact the reporting could have on the chaplaincy or an individual. A 'conspiracy of silence' is wholly inappropriate and only serves to exacerbate the problem.
- d. Normally, a complaint will be made promptly, and not more than a year after an incident of bullying or harassment. Exceptions can be made in exceptional cases.

2. Language

- a. In this policy the "complainant" is the person who is making a complaint of bullying or harassment against another individual.
- b. The person against whom a complaint is made, who is alleged to have acted in a way that is bullying or harassment, is the "respondent".
- c. While a third party may refer a complainant to the policy or encourage them to make a complaint, they are not normally the complainant themselves. A third party may accompany a person to interviews and hearings, and assist them in writing the complaint, but they are normally there as a support, not as an advocate.
- d. The policy refers to "panels" of three people who receive evidence and make determinations. The diocesan secretary, on advice from the bishop's senior staff, shall invite people to form a pool of individuals who may sit on these panels and shall receive training for this. This may include the archdeacons, deans, and lay chairs of archdeaconries / deaneries. The person or persons responsible for training will be the identified by the senior staff and appointed by the bishop. A panel may decide to consult and/or take advice from the Diocesan Safeguarding Team and others, as appropriate.

3. To whom does one make a complaint?

This will vary according to who the complainant and the respondent are.

- a. If the matter involves **only members of the laity within a chaplaincy**, then a complaint may be made to a chaplaincy warden or the chaplain/assistant chaplain. The chaplaincy warden or the chaplain/assistant may then pass it on to the relevant archdeacon. The person making the complaint may always make it directly to the archdeacon.
- b. If the matter involves **members of the laity in multiple chaplaincies, or in diocesan committees and programs**, the complaint is made to the archdeacon, if in the same archdeaconry. If the complaint involves a person in a different archdeaconry, the complaint may be made to one of the archdeacons responsible. If the complaint involves a layperson in a diocesan committees or programs, the complaint may be made to any archdeacon.

- c. If the alleged misconduct involves **an ordained person**, either as the alleged victim or the alleged perpetrator, and is a chaplain, an assistant chaplain, an area dean, or a cleric with permission to officiate (“PTO”), then the complaint shall be made to the relevant archdeacon.
- d. If the matter involves an **archdeacon** (as either the victim or perpetrator), the complaint should be made in the first instance to the diocesan bishop.
- e. If the matter involves a **member of the diocesan staff** the complaint is normally made to the diocesan secretary (or the diocesan bishop, if the problem lies with the diocesan secretary). The diocesan staff and the bishops’ office have their own procedures. If the member of the diocesan staff reports directly to the bishop, then the procedures used for complaints involving archdeacons is used.

4. What is the form of the complaint?

The nature of the process will be considered on written representations. Therefore, complaints must be written and include:

- a. Names of the complainant (the alleged victim), the respondent (the alleged perpetrator), and the person to whom the complaint is given. The positions of the individuals concerned will be noted.
- b. The chaplaincy, committee, or program of those named in a) should be indicated.
- c. The date the complaint is made.
- d. The particulars of the alleged misconduct, including places and dates, and what happened. A general report of what was said by the participants may be included. Supporting documents where available, such as emails, should be included. Care should be exercised to include only the relevant evidence.
- e. Insofar as it is possible, the objective facts of what was said and done should be kept separate from descriptions of the subjective feelings.
- f. The complainant will sign and date the complaint. The complaint should include a statement that the person believes that the facts stated are true.

5. The person receiving the complaint will . . .

- Explain the process to the complainant.
- Treat the matter in a confidential manner.
- Arrange for an offer of pastoral care, or counselling, or other support, for the complainant, their family, and the chaplaincy (N.B. this is not provided by the person receiving the complaint).
- Document in writing the particulars of the complaint.
- Promptly document all reports and conversations, including names of persons involved, dates, and places.
- Set in motion the processes below for dealing with the complaint.
- Keep the complainant informed of what is being done in so far as matters of personal confidentiality allow.

6. What happens next?

Within twenty-one days of the above written complaint being received in writing or by e-mail, the person receiving the complaint will ensure that . . .

- a. A person alleging bullying or harassment is reminded of the online version of this policy.
- b. The person receiving the complaint will open a file in a secure place and put a physical copy of the written complaint in it, as well as any notes.
- c. They will advise the complainant in writing or by email of the receipt of the complaint, and let them know when they may expect a further response.
- d. If the complaint is being referred to another person (the archdeacon), this will be noted in the email, as well as in the file, and the complainant will be informed.
- e. Pastoral care or other support by a third party will be offered to the complainant, and documented in the file.

E: Acting on the Complaint

1. Criminal activity?

If at any stage it appears that the complaint or the evidence indicates criminal activity (typically a physical or sexual assault, or threatening behaviour that puts a person in imminent danger of their physical well-being), one normally reports the matter to the local law enforcement agency. In some jurisdiction in the Diocese in Europe it is possible that such a report could be prejudicial to the well-being of the complainant or the respondent; if there is any doubt about the advisability of reporting such activity to the local police, advice must be sought by the archdeacon or panel from the diocesan secretary. In the event of a case being placed with the local law enforcement agency, it may be that the local law enforcement agency will request that further investigation by church officials cease pending consideration of the matter by that agency. Only if so requested is the process outlined below suspended; if it is not, the diocesan process continues.

If there appears to be any criminal activity, the Diocesan Safeguarding Team Europe.safeguarding@churchofengland.org must also be immediately notified.

2. Initial Review of the Complaint

- a. The person receiving the report will determine if there are credible grounds to believe that conduct which may constitute bullying or harassment, has occurred. If it is decided to not proceed with the process, this reasons for doing so should be stated in writing, and the person making the complaint must be informed that the process will not be going forward. The person receiving the report may separately identify matters to be addressed in the light of this matter.
- b. If it seems likely that more evidence is necessary, then a formal process will be initiated in order to gather and examine the evidence in more detail and to determine what actions would be appropriate. The area dean may become involved at this point.
- c. If an archdeacon is the person receiving the report, or it is referred to their office, the archdeacon may refer it to the appropriate area dean, chaplain, or chaplaincy warden for the informal process.

3. Informal Process

- a. **If, on the balance of probabilities, there is clearly no foundation to the allegation** then the person receiving the report will identify if there are any needs for counselling, specific pastoral care, or training etc. for the person making the complaint. The person who made the complaint will be informed in writing of this. The chaplain, chaplaincy warden, and/or the archdeacon should keep the situation under review in case it escalates and does then become a bullying/harassment issue – when it would be dealt with as noted below.
- b. **If the situation is a concern**, then the person receiving the report may first initiate a mediation / reconciliation / conflict resolution approach to be undertaken by someone with the essential skills and experience and arrange support for the victim (this may require input from outside the chaplaincy – and advice should be sought from the relevant archdeacon before continuing). Again, the complainant will be advised of this.

If not done *pro bono*, the chaplaincy (chaplaincies) concerned will bear the cost for complaints within a chaplaincy, and the Diocesan Board of Finance must authorise any expenditures for mediation in complaints involving diocesan programs or staff.

- c. **The archdeacon** may also review whether a new Ministry Development Review or employment review should be carried out.
- d. **If mediation fails**, or the complainant continues to have concerns, then the matter should be brought to the attention of the archdeacon for further action as noted below. Pastoral support for the complainant and respondent continues.

4. Formal Process

- a. The archdeacon will convene a panel to investigate the allegations. The panel is to ascertain the relevant information, consider that information and reach a conclusion as to what further action is necessary (or not, as the case may be).
- b. The panel will comprise the archdeacon and two other members who will be:
 - i. a member of the clergy;
 - ii. a member of the laity;
 - iii. In convening the panel, the archdeacon will have regard to any necessary diversity issues.
 - iv. Where the archdeacon perceives a need for more independent evaluation, the archdeacon will invite (through the diocesan or suffragan bishop) one of the diocese's honorary assistant bishops to be a part of the panel.
- c. The archdeacon or panel will consult with and seek guidance from the diocesan registrar as necessary.

- d. The panel will:
 - i. Deliver the written complaint to the respondent.
 - ii. Seek such information from such people as is necessary to understand the facts and the issues. This may include documentary evidence, as well as written submissions from third parties. The panel may solicit further information from any source it deems suitable. Written materials should be succinct and to the point.
 - iii. The panel will share any further information with the complainant and respondent.
 - iv. The respondent is normally given twenty-one days to respond to the complaint and evidence, in writing.
 - v. The respondent's response to the complaint is shared with the complainant. The complainant is given an opportunity to make a written reply to the respondent's response (normally no more than another twenty-one days).
 - vi. The respondent is given a final opportunity to respond to the complainant's reply (normally no more than twenty-one days).
 - vii. The panel then considers all the information obtained, and reaches a conclusion based on the available information as to whether bullying or harassment has taken place.
 - viii. If it is determined that bullying or harassment has taken place, the panel will then determine the appropriate action (see *F) Acting on Proven Complaints* below). This is then written up in the form of a report. The report will state who does what, with a plan to monitor progress.
 - ix. Wherever possible the above is to be accomplished normally no more than eighty days from the date of the original complaint.³
 - x. The archdeacon will keep a record of information, meeting notes, conclusions and reasons for those conclusions.
 - xi. The report is delivered to the office of diocesan bishop, the complainant, and the respondent.

5. Formal Process involving an Archdeacon

- a. In cases where the alleged victim or alleged perpetrator is an archdeacon, the diocesan bishop will invite one of the honorary assistant bishops to undertake the Initial Review in E. 2. above and (as necessary) the Informal Process (E.3) and/or the Formal Process (E.4) on their behalf.
- b. Where there is a need for a panel, then the panel will comprise an honorary bishop, and two other members who will be:
 - i. another archdeacon or other suitable senior cleric;
 - ii. a suitable member of the laity (a suitable person would be someone who is respected within the diocese - for example the current or a past diocesan lay chair).

³ The complainant and respondent will be notified of any divergence from these timelines.

F) Acting on Proven Complaints

Where the panel has determined that a member of the laity or a cleric has engaged in bullying or harassment, the panel will proceed to determine what action to take.

1. If the behaviour has been engaged in **by a layperson**, options for action may include:
 - a. Mediation by a trained professional.
 - b. A series of escalating letters from the archdeacon. Copies must be filed with the bishop's office.
 - i. Firstly politely seeking a change of attitude in the interests of the chaplaincy.
 - ii. Next, a more strongly worded letter which may include informing them that if they do not desist then the chaplaincy as a whole will be informed of the bishop's dissatisfaction.
 - iii. A final letter noting what further action is under consideration if there is no change. In practice this could well be incorporated into commencing the next 'option'.

The panel may opt to skipping either or both of the first steps.

- c. The panel may consider practical local legal options.
 - Advice should be sought from diocesan office.
 - Advice should be sought from a local legal advisor (preferably with knowledge of the chaplaincy).
 - The matter of financial cost to the chaplaincy of taking legal action will need to be established and taken into account.
- d. If the respondent is in a paid or voluntary position (which is not an elected position, and outside the Diocesan Board of Finance), then, subject to the terms and conditions of holding that position, the panel may suggest terminating the contract. This would be a matter for consideration with the chaplain, chaplaincy wardens, and chaplaincy council. If the person is employed by the chaplaincy, any termination would need to be in accordance with local employment law, chaplaincy employment policy, and any contract's terms and conditions.
- e. Consideration of the future of the chaplaincy: The diocesan bishop (in consultation with the sufragan bishop as necessary) will be invited to consider the future options for the chaplaincy including:
 - i. If the chaplain has left: the use of interim ministry, where the focus would be particularly on rebuilding the chaplaincy, till such time as the situation is resolved.

- ii. If the chaplain is the one being bullied and has not left:
 - 1. Determine if the chaplain would welcome a move – and take all reasonable options to seek to achieve this as soon as possible, and then consider using interim ministry as above.
 - 2. If the chaplain wishes to remain, provide significant and overt support and mentoring.
 - f. If the problem continues, consider what further options might be appropriate to ensure that the chaplaincy in that place can continue in the absence of a bullying culture.
 - g. Appropriate support for the complainant will be offered.
- 2. If the behaviour has been engaged in **by a cleric**, options for action may include:
 - a. Mediation by a trained professional.
 - b. A series of escalating letters from the archdeacon:
 - i. Firstly politely seeking a change of attitude.
 - ii. A more strongly worded letter, if no change in behaviour.
 - iii. A final letter noting that further action may be necessary and setting out what this might entail.
 - c. A requirement to undergo a programme of education or training. The aim would be to enable them to properly recognise and address their negative behaviour.
 - d. The panel may conclude that the matter is one to be dealt with the Clergy Disciplinary Measure. This may be decided at any point in the process.
 - e. Appropriate support for the complainant will be offered.
- 3. Once a course of action is determined, the panel is empowered by this policy to implement it. The action described in the report will state clearly who will do what and how progress will be monitored.
- 4. Appeals
 - a. If the respondent or the complainant disputes the decision of the panel, they may, in writing to the bishop, request permission to appeal.
 - b. A three-person panel will be convened, drawn from the same pool of trained persons from which the original panel was chosen, only composed of individuals not already involved, and appointed by the most senior archdeacon not involved. The panel will then receive a written claim as to why an appeal should be considered.
 - c. The grounds for making an appeal are
 - i. a demonstrable error in the fact-finding stage that would have changed the outcome;
 - ii. an error in procedure that would have changed the outcome; and/or
 - iii. demonstrable bias on the part of the panel.
 - d. The decision of the appeal panel is final.

Part Three: Education to Prevent Bullying and Harassment

This section of the report is not part of the recommended policy, but it notes resources that may be useful in working towards a diocesan culture in which instances of abuse are prevented. The Diocesan Bishop may wish to convene a group to forward this work in the chaplaincies and diocese.

1. We have compiled two documents, both of which are available on request.
 - a. *The Effects of Bullying & Harassment on a Person, a Chaplaincy, and the Diocese.*
 - b. *Promoting and Personally Adopting a Christian Culture of Tolerance, Respect, and Understanding.*
2. We recommend the following:
 - a. [A very brief guide to a well-run Chaplaincy Council.](#)
 - b. [The Difference Course.](#)
 - c. [The Pastoral Principles Course.](#)
 - d. [Bridge Builders](#)
 - e. [The resources](#) of the Corrymeela Community (Northern Ireland)
3. Written resources that may be useful include:
 - Alistair McKay, *Bridgebuilding: Making Peace with Conflict in the Church* (Norwich: Canterbury Press, 2019).
 - John Paul Lederach, *Reconcile: Conflict Transformation for Ordinary Christians* (Harrisonburg VA: Herald Press, 2014).
 - Kenneth C. Haugk, *Antagonists in the Church: How to Identify and Deal with Destructive Conflict in the Church* (Minneapolis: Augsburg, 1988).
 - Dennis Maynard, *When Sheep Attack* (Scotts Valley, CA: CreateSpace Publishing, 2010).