

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

1.0 PURPOSE

The Anglican Diocese of Grafton ('the Diocese') recognises that bullying and harassment are not only unacceptable behaviours generally in the workplace but especially in the Church context where we are to strive "to love one another" and value each other's place in the community of the Church that we understand to be the Body of Christ.

This document is to set out steps for the prevention of bullying and harassment within the Diocese and steps to be taken where bullying or harassment has been considered to have occurred.

2.0 SCOPE

2.1 Applicability

This procedure applies to the operation of the Diocesan Registry, Anglican Funds Grafton Diocese, Archives, Parish ministries, and operation of any other minister or ministry authorised and licensed by the Bishop of Grafton.

This procedure applies to all those considered as workers of the Diocese under the Work Health and Safety Act 2011 [NSW] which would include the clergy, employees, office holders, members and volunteers of the Diocese.

2.2 Exclusions

This procedure does not apply to the scope of operation of each of the bodies corporate of the Diocese of Grafton (i.e. Lindisfarne Anglican Grammar School, Emmanuel Anglican College, Clarence Valley Anglican School, Bishop Druitt College, St Columba Anglican School, St Columba Anglican School Foundation, Anglicare North Coast, Lismore Parish Pre-School, St Cuthbert's Retirement Living Complexes).

Bullying and harassment that does not occur at a workplace, Church or authorised activity of the Diocese and that is not committed by a person or persons employed or licensed by the Diocese are excluded from the operation of this procedure.

Bullying and harassment committed by employees or licence holders of the Diocese away from the workplace, Church or authorised activity may be excluded from the operation of this procedure where the circumstances of the incident(s) can be shown to have no connection to the employment relationship or the scope of the person's licence. An example of this would be bullying and harassment within the family home.

Although bullying and harassment in all forms are considered unacceptable by the Diocese, the above exclusions are made on the basis that the Diocese's authority is

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

limited in those circumstances and the actions of another agency would be more appropriate.

The Bishop of Grafton retains the prerogative to remove a licence from, or refuse to license, anyone where the Bishop holds the view that there are reasonable grounds to believe that the person has committed bullying or harassment regardless of any exclusion from the operation of this regulation.

In addition to the above, any decision of the Bishop of Grafton to appoint or license, or to not appoint or license, shall not itself be grounds for a claim of bullying or harassment.

Any reasonable action by a responsible officer to enact the provisions of an ordinance or an approved policy or procedure of the Diocese shall not itself be grounds for a claim of bullying or harassment.

3.0 POLICY

3.1 General

The Diocese considers bullying and harassment as unacceptable and through awareness raising and adherence to policies endeavours to make the Diocese a bullying and harassment-free workplace. The Diocese promotes the positive behaviours described in Being Together (Attachment B) and in GEN-002 Faithfulness in Service for healthy and safe church and workplace communities.

The Diocese is committed to supporting all workers (Clergy, employees, volunteers and associates) who speak up at work about bullying, whether they believe they are being bullied or consider that anyone else could be a target of this behaviour.

In order for such matters to be either informally or formally raised and resolved the Diocese will consistently apply processes that align with general principles of good faith, natural justice and recognised employment practices, specifically as they apply to our primary duty of care under the Work Health and Safety Act 2011 [NSW].

3.2 Prevention of Bullying and Harassment

- (a) Bullying is best dealt with by taking steps to prevent it long before it becomes a risk to health and safety. This is achieved by following a risk management process which involves the following steps, similar to what we do for any other hazard or risk in our workplaces, by:
- identifying bullying risk factors;
 - assessing the likelihood of bullying occurring and its impact;
 - controlling the risks by eliminating them, or where that is not reasonably

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- practicable;
 - minimising the risk as far as reasonably practicable;
 - reviewing the effectiveness of the control measures.
- (b) Each Parish, ministry or workplace of the Diocese is, not less than annually, to consider the risk of bullying and harassment in their context by applying the principles of AS/NZS ISO 31000:2009, Risk management - Principles and guidelines by:
- considering the likelihood and circumstances of a bullying and harassment incident;
 - considering the likely consequences of such an incident; and
 - in circumstances where the combination of risk and consequence is not low, devise and implement actions to significantly reduce the risk and/or consequence.
- (c) The consideration of the risk of bullying and harassment involves uncovering circumstances and conditions that could contribute to bullying in the workplace or Church environment and cause harm to people. Although there may be no obvious signs of bullying, this does not mean such behaviour or conduct does not exist.

Sources of information that can assist in identifying whether bullying is, or could be, a problem include:

- patterns of behaviour contrary to those described in Being Together (Attachment B);
- patterns of absenteeism, complaints, sick leave and staff turnover;
- patterns of attendance/non-attendance;
- grouping and separation of people at social times;
- results from staff or member surveys;
- direct feedback from volunteers, staff, office bearers, managers or supervisors;
- difficulty in attracting or retaining volunteers;
- hazard reports and health and safety issues raised;
- exit interviews;
- compensation claims.

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

3.3 Reporting of Bullying and Harassment

Employees and members of the Diocese are expected to play a role to report incidents where they consider bullying may have, or potentially may occur. It's not OK to ignore it! If you have information about bullying or harassment, it is your responsibility to report this to a person with the authority to deal appropriately with the incident.

Reporting of incidents will help ensure intervention occurs as early as possible leading to prompt assistance and support. It will also help assess whether bullying prevention measures are working.

Reporting will also be encouraged by:

- Clergy, Churchwardens, supervisors, managers and other leaders encouraging reporting;
- Consistent and effective responses to reports;
- The Registry collating all reports received and providing that information quarterly to the Bishop-in-Council who will use it as guidance on continuous improvement of this regulation and the attempts to prevent bullying and harassment.

3.4 Handling a Report of Bullying or Harassment

3.4.1 General Principles

The primary objectives in all cases where bullying or harassment occur are to:

- Restore a work/church environment where those involved feel safe and respected;
- Resolve the specific circumstances of the incident; and
- Raise (or reinforce) awareness and understanding of those in that work/church environment that bullying and harassment are unacceptable behaviours and that the Diocese will not allow such behaviours to persist.

In the handling of bullying and harassment reports, the following principles will be adopted:

- All reports of bullying or harassment will be treated seriously;
- Those reporting the incident, those accused of bullying or harassment, and those who are the subject of bullying and harassment will be supported through the process and treated fairly especially with regard to their right to be heard without intimidation or recrimination;
- To ensure procedural fairness, anonymous complaints cannot be accepted;
- The report will be investigated in a timely manner and, where possible, by someone responsible for the work /church environment but sufficiently removed from the allegations; and

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- Each report will be included in a report to Bishop-in-Council so that they can observe any improvement or deterioration in the safety of work/church environments.

3.4.2 Step 1 – Informal Resolution

- (a) The informal options open to a person who believes they are experiencing bullying or harassment include:
- reporting it to their immediate supervisor or the Rector or Priest-in-Charge of the Parish, but doing nothing themselves. Their supervisor is then responsible for identifying and minimising any risk without implicating the person;
 - speaking to the Rector or Priest-in-Charge, Archdeacon or Diocesan Registrar, for advice and support;
 - speaking to the person engaging in bullying behaviour directly, being mindful of personal safety and the possibility of reprisals.
- (b) If a person experiencing bullying chooses to speak directly to the person engaging in bullying behaviour, they should keep a record of that conversation.
- (c) Although any worker has the right to make either a formal or an informal complaint, workers are encouraged to consider the informal process first, as this can often achieve a better result for both parties.
- (d) The informal approach should not include an investigation or disciplinary action. Instead, a ‘no blame’ approach should be used. The main focus in an informal process is to return the individuals to constructive behaviour as soon as possible without further bullying behaviour.
- (e) Where a supervisor, manager or Clergy are informed of the issue, a record of the incident should be made for use in the risk management process and when the control measures are next reviewed. The information recorded should cover the nature of the incident, its impact on the work area and the outcome of the informal process. The parties to the incident can be, but do not need to be, identified in these records. There is no need to include details of the incident in personal files of those involved, as this is only necessary once a formal process is initiated.

3.4.3 Step 2 – Formal Resolution

- (a) The formal process involves the complainant making a formal complaint in writing which is then formally investigated. It is important the complainant clearly understands what to expect from making a formal complaint.
- (b) The complainant should be told that:
- the investigation procedures will aim to ensure fairness for all concerned;

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- an investigation will occur as soon as possible after the complaint is received;
- an impartial and independent (possibly external) person will conduct the investigation;
- the formal complaints procedure will differ depending on the perceived complexity of the complaint.

(c) The formal process is made up of:

- A. lodging a complaint;
- B. initial response to the incident;
- C. a formal investigation
- D. outcomes of the investigation, including any disciplinary action;
- E. possible appeals process, if necessary;
- F. monitoring the situation following the investigation.

3.4.4 Step 2A – Lodging a Formal Complaint

(a) The first step involves the complainant informing their supervisor they wish to lodge a formal complaint. If the complainant's manager, supervisor or person with direct authority over their role is the person engaging in the bullying behaviour, then the complaint should be received by the next more senior person (e.g. Associate Priest would lodge a formal complaint about their Rector with the Regional Archdeacon). It is the responsibility of the person who receives the verbal notification to:

- protect the complainant from reprisals;
- ensure confidentiality is maintained;
- ensure adequate support is provided to both parties;
- ask the Diocesan Registrar or Bishop of Grafton to organise the investigation process;
- provide assistance to the complainant to submit the written complaint.

(b) The complaint should be in writing with specific allegations including dates, times and names of any witnesses. Attachment A - Form for Lodging a Complaint of Bullying is a guide to the form of a written complaint.

3.4.5 Step 2B – Initial Response

A suitable person in authority (senior Clergy or senior manager) should meet separately with each party as soon as possible and explain the formal process, rights and responsibilities. The discussion should include:

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- the expected timetable for investigation and resolution of the complaint;
- how the complaint will be investigated (e.g. interviews with the complainant, the person accused of bullying behaviour and any witnesses; viewing documentary evidence);
- who will receive copies of any statements and records of interview, if obtained;
- who can be present at interviews;
- whether parties can refuse to participate (and that refusal to participate will be recorded);
- what support mechanisms will be in place for each party;
- what interim measures will be taken to ensure the safety and welfare of the complainant during the investigation (interim measures may include suspension of the person accused of bullying behaviour pending the outcome of the investigation, or assignment to other duties until the investigation is complete).

3.4.6 Step 2C – Formal Investigation

- (a) Either the suitable person in authority or an independent external investigator should investigate the complaint. Principles of natural justice should be followed in all formal investigations for fairness to all parties:

As part of natural justice, both the person making the complaint and the person against whom the complaint is made will (as best as possible) be protected from victimisation, discrimination and retribution.

Natural justice includes the rights of the complainant to:

- be heard;
- have their complaint treated seriously;
- be informed of the process for managing the complaint;
- be informed of the outcome and the reasons for that outcome.

Natural justice includes the rights of the respondent to:

- be informed of the details of the complaint;
- be informed of the process for managing the complaint;
- be able to respond fully to the complaint;
- have their response taken seriously;
- be informed of the outcome and the reasons for that outcome.

The person who is alleged to have committed the bullying should be treated as innocent unless the allegations are proved to be true.

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- Allegations are to be investigated promptly;
 - All allegations need to be put to the person they are made against;
 - The person the allegations are made against must be given a chance to explain their version of events;
 - If the complaint is upheld, any disciplinary action that is taken needs to reflect the seriousness of the matter;
 - Right of appeal is explained.
- (b) Mitigating factors should be taken into account when assessing if disciplinary action is necessary. The investigator should notify the person accused of bullying behaviour in writing about:
- the details of the complaint;
 - the interview time;
 - the process and their rights (including the right to have a representative);
 - time frames for the investigation;
 - requirements for confidentiality;
 - the possible consequences of the investigation.
- (c) The investigator should then interview the person accused of bullying behaviour. If they admit to the behaviour, the matter can be referred back to their manager, supervisor or person with disciplinary authority for appropriate action. This may include disciplinary action and/or referral to counselling and training services. The admission of the behaviour and any remorse expressed should be viewed positively and should be taken into account when determining what disciplinary action should be taken, if any.
- (d) If the person accused of bullying behaviour disputes the allegations, further enquiries should be carried out in an attempt to determine the facts. This may involve speaking to the complainant, the person accused of bullying behaviour and any witnesses and may also involve considering relevant documentation.

3.4.7 Step 2D – Investigation Outcomes

- (a) When the investigation is complete, the investigator is to report in writing to the Bishop of Grafton (or delegate) on the outcomes of the investigation. The findings should be communicated to the complainant and respondent in writing.
- (b) If the allegation of bullying cannot be substantiated, this does not mean conflict did not occur and assistance should be provided to remedy the conflict. This may

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

involve mediation, counselling, changed working arrangements or addressing other organisational issues that may have contributed to the circumstances of the complaint.

- (c) If the complaint is found to be vexatious or malicious, counselling should be considered for both the complainant and the respondent.
- (d) If the allegation is found to be substantiated, disciplinary action should be taken. The chosen disciplinary action will depend on the severity of the bullying and may include:
- an apology (if the complainant requests it and an apology can be sincerely given);
 - a verbal or written warning;
 - professional counselling;
 - remedial training (i.e.: leadership training or communication training);
 - an undertaking that the behaviour will not be repeated, with regular monitoring;
 - inclusion in performance agreements;
 - transfer to another work area;
 - demotion;
 - suspension or removal from office (e.g. office holders or committee members);
 - temporary or permanent prohibition on attendance (e.g. church members or volunteers);
 - dismissal (this should only occur in the most severe cases or if it is a repeated case of bullying, and is subject to industrial laws).
- (e) Assistance should also be provided for the complainant, such as:
- offering professional counselling;
 - redressing any inequality resulting from the bullying behaviour;
 - re-instating of any lost privileges resulting from the bullying behaviour (e.g. re-crediting leave);
 - mentoring and support from a senior Clergy or senior manager;
 - providing training (i.e. resilience training, assertive communication or self-esteem programs);
 - organising an opportunity to work (or serve) in a new area (this should only be done if the victim agrees and if there is no risk of bullying in the new area).

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- (f) Note that mediation is not an appropriate intervention if an allegation of bullying has been substantiated. Expecting a person who has been targeted by bullying behaviour to enter into discussion and/or agreements with their abuser may constitute a form of punishment for the complainant.

3.4.8 Step 2E – Appeals Process

- (a) The complainant and the respondent to the allegation of abuse each have a right of appeal to the Bishop of Grafton following completion of Step 2D above (3.4.7).
- (b) Appeals will need to be in writing to the Bishop of Grafton and based on a claim that the Diocese has not correctly enacted the processes under this regulation and this error or oversight has negatively affected natural justice in their case.
- (c) The Bishop of Grafton may dismiss the appeal if there appears to be no valid grounds for the appeal.
- (d) If there are valid grounds for the appeal, the Bishop of Grafton, shall appoint an external person with suitable qualification and training to review the conduct of the original investigation and make recommendations to the Bishop as to:
- the validity of the appeal;
 - any changes to the findings and actions taken from the original investigation;
 - process improvements for the handling of allegations of bullying and harassment in the future.

3.4.9 Step 2F – Post-Investigation

Not greater than 6 months after completion of all of the steps above, the senior Clergy or senior manager identified in Step 2B above shall review the workplace or Church environment to ascertain whether:

- the actions taken as a result of the investigation were implemented;
- the actions taken proved to be effective and/or helpful;
- the risk of further bullying and harassment have reduced;
- those working or serving in that environment are sufficiently aware of the topic of bullying and harassment recognising that behaviour is unacceptable and must be reported.

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

4.0 DEFINITIONS

4.1 Bullying

'Bullying' in the context of a workplace (including a Church environment) is repeated, unreasonable behaviour directed toward an individual or group of people that creates a risk to health or safety.

4.2 Unreasonable Behaviour

'Unreasonable behaviour' means behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.

4.3 Repeated Behaviour

'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time

4.4 Examples of Bullying

Bullying can occur face-to-face, over the phone, via email, instant messaging or using mobile phone technologies including text messaging. Bullying can involve many different forms of unreasonable behaviour, which can be obvious (overt or direct) or subtle (covert or indirect).

4.4.1 Direct Bullying

Examples of direct bullying include:

- abusive, insulting or offensive language;
- spreading misinformation or malicious rumours;
- behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming;
- displaying offensive material;
- inappropriate comments about a person's appearance, lifestyle, or their family;
- teasing or regularly making someone the brunt of pranks or practical jokes;
- interfering with a person's personal property or work equipment;
- harmful or offensive initiation practices.

4.4.2 Indirect Bullying

Examples of indirect bullying include:

- unreasonably overloading a person with work or not providing enough work;
- unreasonably setting unrealistic timelines for work or constantly changing deadlines;
- setting tasks that are unreasonably below or beyond a person's skill level;

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

- deliberately excluding, isolating or marginalising a person from normal activities;
- withholding information that is vital for effective performance in a role;
- deliberately denying access to information, consultation or resources that would usually be available for a person in that situation;
- deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular individual or people;
- unfair treatment in relation to accessing workplace entitlements such as leave or training.

4.4.3 Intentional versus Unintentional Bullying

Bullying can be intentional, where the actions are intended to humiliate, offend, intimidate or distress, whether or not the behaviour did have that effect.

Bullying can also be unintentional, where actions which, although not intended to humiliate, offend, intimidate or cause distress, should reasonably have been expected to cause that effect.

Sometimes people do not realise that their behaviour can be harmful to others. In some situations, behaviours may unintentionally cause distress and be perceived as bullying.

4.4.4 Forms of Bullying

Bullying can be directed at a single worker or a group of workers and be carried out by one or more workers. Bullying can be:

- **Downwards from managers** to workers (or position of greater authority to a position of lesser authority) – the use of authority and positional power should be used with care of those affected by any potential action;
- **Sideways between workers**, co-workers or team members (or positions with similar level of authority) – each person should demonstrate respect and regard for others in words used (or not used) and actions taken (or omitted);
- **Upwards from workers** to supervisors or managers (or position of lesser authority to a position of greater authority) – even where there is a lack of authority or positional power, words and actions should demonstrate respect and regard for people avoiding damaging or undermining behaviour whether intentional or unintentional.

‘Mobbing’ is a form of bullying that involves behaviour by a group that has the consequence of bullying an individual. An example would be group pressure on the targeted individual with the aim of forcing the individual to leave their current role.

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

4.5 Actions not considered to be Bullying

Many things that happen at work and in groups are generally not considered to be bullying, although some experiences can be uncomfortable for those involved. Differences of opinion, performance management, conflicts and personality differences may happen in all workplaces and environments, but in most cases they should not be considered to be bullying.

4.5.1 Single Incident

A single incident of unreasonable behaviour is not bullying, although it may have the potential to escalate into bullying and therefore should not be ignored.

4.5.2 Reasonable Management Action

Reasonable action by management or others in authority, carried out in a fair way, is not bullying. Those people given the authority (including managers) have a right to direct the way work or other activities are carried out and to monitor and give feedback on performance.

Examples of reasonable action by management or others in authority include:

- setting reasonable performance goals, standards and deadlines in consultation with those doing the activities and after considering their respective skills and experience;
- allocating work, roles or duties in a transparent way;
- fairly rostering and allocating working hours or duties;
- transferring an employee for legitimate and explained operational reasons;
- deciding not to select an employee for promotion, following a fair and documented process;
- informing a staff member about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements;
- informing a staff member, office bearer, volunteer or visitor about inappropriate behaviour in an objective, constructive and confidential way;
- implementing organisational changes or restructuring;
- performance management processes.

4.6 Harassment and discrimination

Harassment involves intimidating, offending or humiliating behaviour directed toward a person on the basis of a particular personal characteristic such as ethnicity, age, gender, faith or beliefs held.

Discrimination involves the unfair treatment of a person based on a personal characteristic, for example not hiring someone because of their parenting responsibilities.

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

While religious organisations have some exemptions from discrimination law there should be no assumption of a general exemption.

Unlike bullying, harassment and discrimination do not have to be repeated and have to be based on some characteristic of the target.

Discrimination and harassment are dealt with separately under anti-discrimination, industrial and human rights laws. The Work Health and Safety Act includes specific protections against discriminatory conduct for persons raising health and safety concerns or performing legitimate safety-related functions.

A worker can be bullied, harassed and discriminated against at the same time.

5.0 REFERENCES

5.1 Policy Conflict

If there is any conflict between this Policy and Procedure, ordinances of the Diocese, and applicable government legislation, the government legislation will prevail with ordinances of the Diocese taking the next precedence.

5.2 Interpretation

If a worker is in doubt about the interpretation of this Policy and Procedure, then the matter should be discussed with their supervisor or a more senior officer. If this matter cannot be clarified at a local level, the matter should be referred to the Registrar of the Diocese.

5.3 Relevant Documents

Work Health and Safety Act 2011 [NSW]

GEN-002 Faithfulness in Service

GEN-007 Handling Suspected Misconduct

REG-001 Administration Code of Conduct

ADM-001 Privacy

AS/NZS ISO 31000:2009, Risk management - Principles and guidelines

Resolution 45/14 of the General Synod of the Anglican Church of Australia 2014 "Being Together" (see Attachment B)

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

ATTACHMENT A – FORM FOR LODGING A COMPLAINT OF BULLYING

Once you have completed this form, it is to be submitted to the person responsible for the area in which you work or serve, or a senior clergy person or a senior manager of the Anglican Diocese of Grafton. They will arrange to meet with you to work through the information you have provided and obtain other relevant information. An investigation will be undertaken which could involve speaking to witnesses, the person the complaint is made against, and other relevant people.

Please attach additional information if there is not sufficient room on this form.

Your name:	
Workplace (or location of service or attendance) relative to this report:	
Preferred contact phone number:	
Other contact details (e.g. home address, email address)	
Are you the person being bullied? If you are not, who do you consider is being bullied? Why do you consider bullying to be happening?	Yes / No
Name and position of the person(s) against whom the complaint is made?	
Name and position of the person(s) to whom you have reported this complaint	

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

Outline of the complaint	
1. What is the nature of the alleged bullying? (Refer to definitions in procedure GEN-004 Prevention of Bullying and Harassment)	
2. Over what time period and where did this occur? (dates and locations)	
3. What occurred? (use an attachment if more space is required)	
4. Who was present at the time? (include any office bearers, staff, volunteers, clients, visitors, residents or others)	
5. What would you consider to be an appropriate outcome of an investigation into this complaint? (Examples: An apology; An agreed behaviour plan) Note: Answering of this question is optional.	
6. Any other information that you consider to be relevant	
Signature:	
Date signed:	

Provide the completed and signed form to the person responsible for the area in which you work or serve, or a senior clergy person or senior manager of The Anglican Diocese of Grafton

or

Send to the Registrar, The Anglican Diocese of Grafton
By post to PO Box 4, Grafton NSW 2460; or
By email to registrar@graftondiocese.org.au

**THE ANGLICAN DIOCESE OF GRAFTON
DIOCESAN POLICIES AND PROCEDURES**

SUBJECT: PREVENTION OF BULLYING AND HARASSMENT		PROCEDURE REFERENCE NUMBER GEN-004
DATE APPROVED 21 February 2019		REVISION NUMBER Original
POLICY IMPLEMENTATION DATE 25 February 2019	REVIEW DATE AND FREQUENCY 3 Yearly	RESPONSIBLE FOR REVIEW Bishop-in-Council

ATTACHMENT B – BEING TOGETHER

Being Together

Expectations of behaviour in our church community

Jesus told us to love one another as he loves us. As Christians we know our life together is strengthened when our behaviour is consistent with our faith. However, our experience of being together can be difficult, particularly when there are differences. So it is important to be clear about how we will behave towards each other.

Being a community:

- We will **value the wellbeing of others**.
- We will **encourage each other to participate** in the life of the church.
- We will **consider the impact of our behaviour** on others.

Relating to each other:

- We will **treat each other with respect and dignity**, irrespective of ability, gender, sexuality, race, age or contribution to the church.
- We will **act with integrity and honesty** in our interactions with each other.

Communicating with each other:

- We will **communicate respectfully** with others, and not in a way that threatens, belittles or humiliates.
- We will **speak with integrity and honesty**, and refrain from speculation and gossip.

Acknowledging difference:

- We will **respect those who are different** from us and not isolate or ridicule them.
- We will **listen to and seek to understand** the beliefs, opinions and practices of others, even when we do not share their views.

Responding to conflict:

- We will **accept responsibility** for our part in a conflict.
- We will be willing to **play our part** in resolving a conflict.

(Adopted by General Synod 2014, 45/14.

Endorsed by Bishop-in-Council of Diocese of Grafton 21 February 2019.)