

## **Non-Subscribing Presbyterian Church of Ireland**

### **Bullying and Harassment Policy & Procedure**

#### **What is harassment?**

In general terms, harassment is unwanted conduct related to a particular characteristic (age, disability, gender, gender identity, marital or civil partnership status, sex, sexual orientation, race, religious belief or political opinion) which violates the dignity of people. This can include unwelcome physical, verbal or non-verbal conduct.

Harassment in the employment context has now been defined explicitly in key pieces of anti-discrimination legislation. Under the legislation covering religious belief and political opinion, race, disability, age, sex and sexual orientation, harassment is defined as “unwanted conduct which has the purpose or effect” of “violating a person’s dignity” or “creating an intimidating, hostile, degrading, humiliating or offensive environment for that person”.

Harassment as defined in the legislation will amount to unlawful discrimination. The Denomination is committed, however, to discouraging all forms of harassment and discrimination, whether unlawful or not.

Many forms of behaviour can constitute harassment; these are just some examples:

- Physical conduct ranging from touching to serious assault.
- Verbal and written harassment through jokes, racist, sexist or sectarian remarks, homophobic comments, comments about a person’s disability, offensive language, gossip and slander, sectarian songs, mobile telephone ring tones, threats, letters, emails.
- Visual displays of posters, computer screen savers, downloaded images, graffiti, obscene gestures, flags, bunting or emblems, or any other offensive material.
- Isolation or non-co-operation at work, exclusion from social activities.
- Coercion, including pressure for sexual favours, pressure to participate in political or religious groups.
- Intrusion by pestering, spying, following, etc.

If any of the above behaviour is not related to an equality ground covered by anti-discrimination legislation, this could amount to bullying.

#### **Sectarian harassment is defined as:**

*“Unwanted conduct of a sectarian nature, or other conduct based on religious belief or political opinion affecting the rights of people at work”.*

Many forms of behaviour can constitute sectarian harassment. It can range from extreme forms such as violence and bullying to less obvious actions like ignoring someone during activities. The following, though not an exhaustive list, may constitute sectarian harassment:

- Physical harassment, ranging from gestures to serious assault.
- Verbal harassment, deliberate articulation of sectarian jokes, banter, offensive language, gossip, sectarian songs and threats.

- Written harassment, circulation of sectarian notes, letters, other written material containing offensive language.
- Visual displays of offensive material, posters, graffiti, flags, bunting and emblems.
- Offensive behaviour, isolation, non-co-operation at work, exclusion from social activities, interference with job performance, pressure to join a religious/political group.

Sectarian harassment is religious discrimination or discrimination on the grounds of political opinion and is unlawful under the Fair Employment and Treatment (NI) Order 1998.

### **Sexual harassment is defined as:**

*“Any unwanted conduct of a sexual nature, or conduct based on sex, which affects the dignity of women and men”.*

The following, though not an exhaustive list, may constitute sexual harassment:

- Physical harassment ranging from gestures through inappropriate touching to assault.
- Insensitive jokes or pranks carried too far.
- Displays of sexually suggestive material.
- Lewd comments.
- Request for sexual favours.
- Questioning about private life.
- Explicit sexual approaches.
- Leering.
- Sexist or patronising behaviour.

Sexual harassment is sex discrimination and is unlawful under the Sex Discrimination Order 1976.

Harassment based upon a person's race, ethnic origin, nationality, sexual orientation, age and/ or on a person's disability can follow the same patterns as described above, i.e. it can be physical (gestures, assault etc.) or verbal (banter, jokes etc.); it can involve the display of offensive literature; exclusion from the group; non-co-operation. All are unlawful under the relevant legislation.

Certain types of harassment may leave the harasser open to legal proceedings in which he or she may have a personal liability.

### **Bullying is defined as:**

*“Repeated abuse or harassment that denies someone respect, destroys self-confidence and creates a stressful environment. It is sometimes hard to recognise.”*

Bullying can include any or all of the following:

- Verbal abuse - sarcasm, shouting, swearing and threats, belittling a person or their ability.
- Physical abuse - physical conduct ranging from pushing, shaking or blocking someone's way, to actual assault.

- Unfair treatment - apportioning blame wrongly, not recognising true contribution
- Humiliation - hurtful gossip.
- Setting a person up to fail - setting unrealistic deadlines, failing to provide enough support or information.
- Giving the cold shoulder - leaving an individual out of communications.

The Denomination regards any breach of the above policy as a serious matter.

Clergy who breaches the policy will be disciplined under the code of discipline. Such disciplinary action may include dismissal depending on the seriousness of the offence.

It should be noted that it is the effect on the victim rather than the intention of the perpetrator which determines whether an offence has occurred and that it may be a disciplinary offence to make a complaint against another person which is unwarranted.

Clergy, who believe that they have been subject to any form of harassment or bullying should raise the matter under in the first instance with the Clerk of their respective Presbytery.

Given the nature of the problem, it is important that a matter is raised quickly after the event, and not allowed to fester. Particularly where a comment has been made which although offensive has not been intended as such, it is important that the matter can be put right quickly in order to clear the air and allow the parties to put the matter behind them.

### **Informal Approach**

- Try to talk others to find out if anyone else is suffering, or if anyone has witnessed what has happened to you - avoid being alone with the bully.
- If you are reluctant to make a complaint, raise the matter informally with someone whom you feel comfortable with to discuss the problem. This may be your Clerk of Session or Clerk of Presbytery.
- Speak to the person causing the offence. Tell the person to stop whatever it is they are doing that is causing you distress, otherwise they may be unaware of the effect of their actions. If you find it difficult to tell the person yourself, you may wish to get someone else, your Clerk of Session or Clerk of Presbytery, to act on your behalf. Often it may be sufficient for the person who feels s/he is being harassed to raise his or her concern informally with the person doing the harassing, pointing out that this behaviour is unwelcome, offensive and that s/he wants it to stop. This informal means of resolution is encouraged wherever possible so that a satisfactory conclusion is reached quickly, effectively and the potential for embarrassment is minimised.
- Keep a diary of all incidents - records of dates, times, any witnesses, your feelings, etc. Keep copies of anything that is relevant, for instance annual reports, letters, memos, notes of any meetings that relate to your ability to do your role. Bullying and harassment often reveal themselves through patterns of behaviour and frequency of incidents. Keep records and inform your Clerk of Presbytery of any medical help you seek.

- If you cannot confront the bully, consider writing a letter or email to them to make it clear what it is you object to in their behaviour. Keep copies of this and any reply.
- Be firm, not aggressive. Be positive and calm. Stick to the facts.

### **Formal Steps**

- If you do decide to make a formal complaint, follow the Grievance and/or Chapter 8 procedure within the Code of Discipline.
- Bring the matter to the attention of The Clerk of Presbytery for resolution in writing detailing the issue and providing evidence of previous incidents.
- The complainant will have the right to be accompanied by a colleague a companion. This companion may be a ministerial colleague or an accredited representative. We will consider an alternative companion if it is required as a reasonable adjustment. They will be interviewed (accompanied if so desired, it is advised this is not a family member nor can it be a legal representative) and a full written record made. Strict confidentiality will be maintained throughout. All companions must respect the confidentiality of the process.
- The alleged harasser will be interviewed (again accompanied if so desired). This is to ascertain the alleged harasser's perception of the situation. A written record of the interview will be made.
- The complainant and the alleged harasser will be asked for the names of any witnesses or for any information relevant to the issues. All evidence will be considered before any findings are made.
- The denomination recognises that both parties have a right to their say and to a fair process. However, precautionary measures may be taken such as suspension to mitigate the risk of any issues.
- If it is established that bullying or harassment has taken place, the harasser will be told to stop their behaviour or face disciplinary action in accordance with the Code of Discipline or other sanctions available. Any action taken after the disciplinary procedure is invoked will reflect the severity of the offence.

### **Presbytery Responsibilities**

When a complaint of bullying or harassment is brought to the attention of the Clerk of Presbytery, the following principles will apply:

- All complaints of bullying or harassment will be dealt with seriously regardless of the seniority of those involved.

- The Denomination recognises the rights and needs of both the person who feels they have suffered bullying or harassment and the person accused of bullying or harassment. It is the Denominations policy to affect a resolution to the issue whilst protecting the dignity and well-being of everyone involved.
- The Denomination recognises that Clergy can be subject to bullying or harassment by congregational members and outside. Value of any of these will not prevent the Denomination from protecting a member of the Clergy from a recurrence.
- Through their own behaviour, Clergy are responsible for demonstrating the standards for a church setting free from harassment and bullying.
- A person who is found to have been knowingly bullying or harassing a colleague may be subject to disciplinary action.
- Following an apparent resolution of a case of bullying or harassment, steps will be taken by Presbytery to monitor the situation to ensure that bullying or harassment has ceased and no further problems have arisen as a result of the complaint, such as victimisation or retaliation.

This policy and procedure should be reviewed bi-annually by the General Purposes Committee.

Adopted by Pro Renata General Synod 31<sup>st</sup> January 2026