

# **Preventing Bullying and Harassment Policy**

Diocese of Qu'Appelle

June 2018

## **1. Introduction**

Within the Diocese of Qu'Appelle, we value the diversity of people who participate in the work and worship of the church. Each one is recognized as God's image bearer and, as such, we are committed to relationships founded on respect. Every worker, volunteer, and participant of the church is entitled to a harassment-free place of work and worship. Therefore, bullying and harassment will not be tolerated. Complaints thereof will be taken seriously, immediate steps will be taken to end instances of harassment of which the Diocese becomes aware, and further response will be guided by this policy.

## **2. Responsibility and Application**

The Diocesan Council is responsible for establishing and reviewing this policy for the Diocese as a whole.

It is the desire of the diocese to foster an environment that promotes redemption, healing, repentance, forgiveness, and reconciliation. However, it is not in the diocese's control to bring these things about. It is, however, the diocese's responsibility to ensure the safety of the aggrieved within the church context as well as a fair investigative process and appropriate outcomes. It must be acknowledged that the outcomes may or may not satisfy the aggrieved and/or the respondent.

This policy applies to all who are employed by, hold office for, are members of diocesan bodies, or otherwise volunteer and provide services to the diocese. Every member of the church in the diocese is responsible to conduct themselves in a manner consistent with this policy in all their church-related activities whether on or off church property. Additionally, non-church programs being held on church property must not tolerate bullying and harassment.

All members of the Diocese of Qu'Appelle have a responsibility as Christians to ensure that parishes are free from harassment and bullying. Wardens and rectors bear the primary responsibility for encouraging and maintaining a safe and healthy environment. They are free to act, and should act, on this responsibility, regardless of individual complaints. It is the obligation of the wardens, incumbents and all persons in leadership positions to be familiar with this policy and, where appropriate, to undertake training, to ensure that they are able to fulfill these responsibilities.

This policy does not apply to matters of sexual misconduct or sexual harassment. Such instances are covered by the Sexual Misconduct policy. If at any point in a process being carried out under this present policy it is determined that it is a sexual misconduct situation, this policy will no longer be applicable. A process will be carried on under the Sexual Misconduct policy.

This policy must be posted in a location that is available to all employees and broadly accessible to all others associated with the Diocese.

## **3. Bullying and Harassment Defined**

Harassment means any inappropriate conduct, comment, display, action or gesture by a person that:

1. Is based on race, creed, religion, colour, sex, sexual orientation, marital status, family status, disability, physical size or weight, age, nationality, ancestry or place of origin;

2. adversely affects the worker's psychological or physical well-being and that the person knows or ought reasonably to know would cause a worker to be humiliated or intimidated; or that
3. constitutes a threat to the health or safety of the worker.

General bullying and harassment are forms of offensive treatments or behaviour that, to a reasonable person, create an intimidating, humiliating, isolating, hostile or abusive environment to the extent that it causes actual harm or distress to the target(s). Normally, but not exclusively, bullying and harassment include a series of incidents over a prolonged period of time.

When an employer or supervisor takes reasonable action to manage and direct workers and/or volunteers, it is not bullying and harassment.

Intent is not necessary for bullying and harassment to be present. The assessment of bullying and harassment is not based on the intent of the behaviour but rather on the impact.

Harassment and bullying can involve words, actions, or pictures and include but are not limited to:

- Spreading malicious rumours, gossip, or innuendo.
- Excluding or isolating someone socially.
- Intimidating a person.
- Undermining or deliberately impeding a person's work.
- Physically abusing or threatening abuse.
- Withholding necessary information or purposefully giving the wrong information.
- Making jokes that are 'obviously offensive' by spoken word or electronically.
- Intruding on a person's privacy by pestering, spying or stalking.
- Assigning unreasonable duties or workload in a way that creates unnecessary pressure or that leads to feelings of uselessness.
- Verbal abuse such as name calling, yelling or using profanity.
- Criticising a person persistently or constantly.
- Belittling a person's opinions.
- Unwarranted (or undeserved) punishment.
- Tampering with a person's personal belongings or work equipment.

When assessing whether an action or statement could be considered harassment or bullying, the "reasonable person" test can be used. Would most people consider the action unacceptable?

#### **4. Addressing Bullying and Harassment**

Complaints or observations of bullying and harassment can be reported to the parish safety contact or any warden, deacon, incumbent, dean, or archdeacon. Additionally, the diocesan Safe from Harm officer can be contacted with complaints or observations of bullying and harassment at the diocesan level or for advice for how to navigate any related process.

#### **5. Bullying and Harassment Response Processes - Formal and Informal**

The aggrieved in the report of bullying or harassment will typically be able to select a preferred way forward between informal and formal processes. In some instances, the diocese may decide that a formal investigation is the only way to reasonably ensure the safety of the aggrieved and others.

In an informal process, the aggrieved will receive help from a person they trust within the diocese to address the situation with the respondent. This can take the form of consultation, supported conversation, informal mediation, etc.

In a formal process, the Executive Archdeacon will be notified and will assist in identifying a qualified investigator who will meet with the aggrieved and respondent and all other parties and witnesses to make a formal assessment as to whether bullying and/or harassment did occur. The aggrieved and respondent will be informed of the outcome by the investigator after it has been documented in an investigative report and presented to the Executive Archdeacon.

## **6. Corrective Actions**

If the findings of the investigation indicate that a violation of the Preventing Bullying and Harassment Policy has occurred, immediate and appropriate corrective and/or disciplinary action, up to and including dismissal or requirement to leave the church community, shall be administered. Corrective actions shall be proportional to the seriousness or repetitiveness of the offense. Appropriate actions include: an oral or written warning, training or counseling, monitoring the bully or harasser, demotion, suspension, and dismissal.

Corrective action will be recommended as a result of the informal or formal process, but is ultimately the responsibility of the authority in the context where the respondent is engaged.

## **7. Confidentiality**

All complaints of bullying or harassment shall be handled within the bounds of strict confidentiality. Information shall be shared on a need-to-know basis only.

All persons involved with a complaint are expected to maintain confidentiality unless the law requires otherwise, there are safety issues or the parties waive confidentiality. Employees or volunteers who learn of complaints or investigations must not engage in gossip or rumour and must retain the information as confidential.

## **8. Retaliation Prohibited**

A person who complains of bullying or harassment, who provides information related to such complaints, or who opposes bullying or harassing behaviour shall be protected against retaliation. Retaliation is considered as serious as prohibited bullying or harassment, and immediate and appropriate action, up to and including dismissal or requirement to leave the church community will be instituted. During the formal or informal investigation or response, all parties will be reminded that retaliation is prohibited.

Examples of retaliation include negative actions such as, but not limited to, unwarranted poor performance reviews, change in duties or service opportunities as a result of reporting bullying or harassing behaviour, other negative service or employment decisions, gossip and breach of confidentiality, laughing at, ignoring, or failing to take seriously reports/complaints of bullying or harassment, or continuing/escalating bullying or harassing behaviour after the aggrieved/reporter objects.

## **9. Appeal and Alternate Processes**

If the aggrieved or respondent have worked with the process and feel that it has failed at some point, or that the corrective action is not consistent with the incident(s) that led to the original complaint, an appeal process is in place. The appeal must be submitted in writing to the Executive Archdeacon who will ensure that the appeal is processed with the Bishop. Further appeals may be made to the Metropolitan of the Province of Rupert's Land.

Nothing in this policy prevents or discourages an employee from referring a harassment complaint to the Saskatchewan Occupational Health and Safety Division under The Saskatchewan

Employment Act and regulations. All members of the diocese may also file a complaint with the Saskatchewan Human Rights Commission under The Saskatchewan Human Rights Code. Everyone also retains the right to exercise any other legal avenues.

No process precludes taking a complaint to the police to press applicable charges. In the case of electronic communication, charges can include cyber bullying or other criminal offences such as criminal harassment, uttering threats, intimidation, mischief in relation to data, unauthorized use of computer, identity fraud, extortion, false messages, indecent or harassing telephone calls, counselling suicide, incitement of hatred, and defamatory libel.

Sources and resources:

<http://www.publications.gov.sk.ca/freelaw/documents/English/Statutes/Statutes/S15-1.pdf>

<https://www.ccohs.ca/oshanswers/psychosocial/bullying.html>

<http://www.briercrest.ca/hr/documents/>

<https://www.stalbans.anglican.org/wp-content/uploads/Preventing-Bullying-and-Harassment-policy.pdf>