RISK

MANAGEMENT

Module 6
BULLYING AND VIOLENCE

Maximising Ministry By Minimising Harm

MODULE 6 – BULLYING AND VIOLENCE

Introduction

This is the sixth module in the Parish Risk Management Program. It needs to be read and applied in the light of the previous introductory sections – **'A Risk Management Program for Parishes'** (Overview) and **'Developing a Risk Management Plan'** (Plan).

This module has been prepared specifically at the request of the Synod in 2010. It looks at the risks and issues involved with bullying and violence in the parish context, with a particular focus on responsibilities for providing a safe work place for parish staff.

This module is another step toward complying with current Occupational Health and Safety ("OH&S") legislative requirements.

If you have already taken steps to deal with bullying and violence in your parish, this module is designed to complement that work. Please check that you have covered all the subject matter discussed in this module and given appropriate attention to any outstanding items.

What is risk?

For our purposes, a risk is anything which has the potential to adversely affect:
•   The health, safety and welfare of your paid staff, and the health and safety of volunteers, contractors, members of the congregation and visitors.
•   The good order of your property or equipment.
•   Your financial well being.
•   Your reputation and relationships with people inside or outside of the parish.

Who is responsible for managing risk?

Responsibility for managing risk in a parish varies depending on the particular area of activity which gives rise to the risk. Generally speaking wardens and the parish council are responsible for the financial and property affairs of a parish and the minister is responsible for ministry undertaken by the parish. Many of the responsibilities are set out in the Chapter 3 of Schedules 1 and 2 of the Parish Administration Ordinance 2008. However it is not always possible to neatly separate the responsibility for many aspects of parish life. Accordingly the management of risk in the parish context is often a shared responsibility.

While the officers of the parish have a particular responsibility for risk management, all members of the parish share a moral responsibility to look after one another. In particular, every member of the parish should be encouraged to alert the minister, wardens or parish council to perceived risks for possible inclusion in your Risk Management Plan.

What is your duty of care?

A parish has a general duty to ensure the health, safety and welfare at work for its clergy and employees. The parish also needs to ensure the health and safety of volunteers ministering in any way in our parishes and visitors to our places of work. This duty of care also extends to contractors and sub-contractors while they carry out work on our premises.

There is also a general obligation on employees to take care of others and to co-operate in matters of health and safety. The most effective way to exercise that duty of care is to integrate it into normal parish planning and ministry activities.

Practical ways to exercise your duty of care as part of normal parish activity are dealt with in previous introductory sections of the Risk Management Manual **'A Risk Management Program for Parishes'** (Overview) and **'Developing a Risk Management Plan'** (Plan).

BULLYING IN THE PARISH

What is bullying?

WorkCover defines bullying as **repeated unreasonable** behaviour directed towards a worker or group of workers that creates a risk to their physical and/or psychological health and safety. A broad range of workplace behaviours can be bullying and these behaviours can be direct or indirect.

Examples of **direct** forms of bullying are:
• Abusive, offensive or insulting language.
• Harassment, intimidatory, threatening or other offensive behaviour.
• Constant, unreasonable and unconstructive criticism.
• Behaviour that frightens, humiliates, belittles or is degrading.
• Regular 'ultimatums' and/or threats of dismissal.
• Inappropriate comments regarding a person's appearance, lifestyle or their family.
• Spreading rumours or innuendo about someone or their family.
• Interfering with someone's personal property or work equipment.

NOTE: Where bullying escalates to incidents of physical assault or threats, it is considered workplace violence. Workplace violence is covered later in this module, refer to page 9.

Examples of indirect forms of bullying are:
• Deliberate exclusion, isolation or alienation of a worker from normal work interaction, such as unreasonably excluding a worker from staff meetings.
• Allocation of demeaning jobs or meaningless tasks only.
• Unreasonably ignoring a worker.
• Placing unreasonable work demands on one worker but not on others.
• Setting tasks that are unreasonably above or below a worker's ability.
• Deliberately denying or withholding access to information or other resources that are essential for the worker to complete their job.
• Repeated refusal of requests for leave or training without adequate explanation or suggestion of alternatives.
• Unjustified criticism, complaints or excessive scrutiny.
• Deliberately changing work arrangements to inconvenience a particular worker.
• Undermining another worker, including encouraging others to 'gang up' on a worker.

Bullying can also be carried out in writing such as email, text messaging, internet chat rooms and instant messaging.

Bullying behaviour can be directed 'upwards' (e.g., from ministry staff/lay persons to the rector), 'sideways' (e.g., between ministry staff) and 'downwards' (e.g., from the rector to ministry staff/lay persons).

Examples of bullying in the parish *

Direct bullying – Sam is an assistant minister in a parish. Over a number of months a warden, Joe, has been repeatedly and aggressively telling Sam that his preaching is not up to scratch (a view not shared by the rector and many others) and that he should never have been appointed to the parish. Joe has threatened Sam verbally and via email that he will get him sacked and has often belittled him in front of other members of the congregation.

Indirect bullying – Beth has been working as a volunteer children's minister two days a week for the last 3 years. The rector unexpectedly changes the regular ministry staff meeting to a time that Beth is not working at the parish due to known family commitments. The rector tells Beth that because she is only a volunteer worker he doesn't have the time to update her on what happens at staff meetings. As a result Beth is unable to be kept informed of important ministry matters that directly affect her work and feels excluded from the rest of the ministry staff. In addition, the rector has allocated some tasks that Beth used to undertake to other ministry staff without informing her.

Bullying by more than one person – Dan, the bookkeeper, works in a large parish and directly reports to the business manager and rector. During the course of a large and complex building project that took 18 months to complete, Dan was subjected to the following behaviour:
- Being told by the business manager that reports and other information requested were sub standard. When Dan asked how he could improve the business manager rolled his eyes and said 'Don't bother, I'll fix it up'.
- Being told by the business manager at the weekly building project meeting in front of several other people 'to stop asking questions and just do what you're told.'
- Not being included without explanation in regular meetings to which he was previously invited.
- Having the rector continue to type on his laptop and ignoring Dan when he spoke to him at meetings.
- Being belittled in a parish council meeting by a warden who said, 'Do you have any idea how to do your job?'

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* These examples are provided for illustrative purposes only. Whether or not some circumstance constitutes bullying will turn on the particular facts in each case.

Effects of bullying

Bullying can result in absenteeism, reduced productivity and motivation, adverse publicity, legal costs (including potential compensatory costs) and loss of skilled ministry staff/lay persons through resignation.

Bullying can also have serious social, spiritual and health costs for individuals, including loss of confidence, increased anxiety, depression, loss of sleep, headaches and increased blood pressure. Further, bullying can also impact other workers and/or parish members (even though they are not subject to the bullying themselves) and, importantly, the overall effectiveness of the ministry of the parish.

What is NOT bullying?

Bullying is normally associated with an ongoing systematic pattern of behaviour. An isolated incident of behaviour is not considered to be bullying. However, a single incident may warrant disciplinary action if sufficiently serious. In addition, a single incident has the potential to escalate into bullying and therefore should not be ignored since it can still pose a risk to the health and safety of a worker.

Reasonable staff performance management actions carried out in a fair way are not bullying, such as:
- Setting performance objectives, standards and deadlines.
- Allocation of work.
- Informing a worker about unsatisfactory work performance or inappropriate behaviour.
- Providing a warning to a worker about potential dismissal or dismissing a worker as part of a formal disciplinary process.
- Implementing changes in staffing arrangements or 'downsizing'.
- Undertaking performance management processes or providing constructive feedback.
- Providing reasonable direction to a worker about the performance of their duties.

Examples of parish workplace incidents that are NOT bullying *

Alice works in the parish administration office and works with two other people. The office is very busy and the work required is routine and shared evenly among everyone. On a regular basis, Alice has been falling behind in the tasks allocated to her which has been brought to her attention by the rector. To help develop her administration and time organisation skills, the rector asks Alice to attend a two-day training course. Alice feels humiliated and singled out.

Jim, a youth worker, is told by the rector not to drive single females home from youth group and other ministry activities without anybody else in the car. When Jim objects and says that 'there's nothing to worry about', the rector insists that Jim follow his direction on this matter. Jim feels the rector is being unreasonable, although is not aware that the Faithfulness in Service code of conduct supports the rector's direction.

The rector preaches a sermon series on the subject of sexual purity in which he indicates on a number of occasions that sex outside marriage is sinful. The parish administrator, who is also a member of the congregation, feels that the rector is singling him out although he has not been identified by the rector in his sermons.

The Assistant Minister is responsible for a congregation which was started 2 years ago as an outreach initiative to young families. The rector informs the Assistant Minister that he does not believe the congregation is working well and that it probably should be discontinued. The Assistant Minister strongly disagrees with the rector. Having discussed this matter with the Assistant Minister and the parish council, the rector finalises his decision to discontinue the congregation.

* These examples are provided for illustrative purposes only. Whether or not some circumstance constitutes bullying will turn on the particular facts in each case.

Managing the risks of bullying in the parish

The parish has a positive obligation under OH&S legislation to:
- Establish and maintain a workplace free of bullying.
- Implement a formal process for dealing with complaints of bullying and other forms of unacceptable behaviour in the workplace.
- Take all reports of bullying seriously and provide support to those affected throughout the entire resolution process.

The following are some of the steps that can be taken to meet the above obligations.

Identifying and assessing the risks of bullying

An important step in preventing bullying is to identify and assess the risk of bullying occurring in your parish.

The most important means of preventing bullying is ensuring the parish workplace is Christian in its operation, where the fruit of the Spirit is evident and practised by all concerned, led by the rector's example (Galatians 5:22 – 26).

The risk of bullying is increased when the fruit of the Spirit is not present.

Consultation within the workplace is an essential part of managing the risk of bullying in the workplace and will lead to early identification of the risk of bullying.

To facilitate this consultation process, the OH&S legislation requires an employer to put in place suitable consultation arrangements with parish workers.

Consultation must occur when an employer:
- Identifies or assesses bullying risks.
- Makes decisions about measures to control bullying risks.
- Makes decisions about developing and implementing procedures for resolving bullying complaints.
- Makes decisions about providing information and training on bullying prevention.

For more information about the consultation process refer to **Module 4 – Building Environment 3**.

Faithfulness in Service

Faithfulness in Service is the Anglican Church of Australia's national code for personal behaviour and practice of ministry staff. The Code has been adopted by the Synod of the Diocese of Sydney. The Code sets out standards and guidelines for the behaviour of clergy and lay church workers in parishes. This Code makes it clear that bullying and other types of abusive behaviour are unacceptable in our parishes and provides guidance about how to avoid and respond to such behaviour.

It is important that your staff are familiar with the standards and guidelines in Faithfulness in Service including those that relate to personal behaviour in Section 6. Copies can be downloaded from the Professional Standards Unit's website (www.psu.anglican.asn.au) or from the Sydney Diocesan Secretariat's website (www.sds.asn.au).

Reporting incidents of bullying

Staff and volunteers should be encouraged to report all incidents of bullying in the parish workplace to the rector or a warden, even if they are not directly affected by such incidents. Reporting of incidents is a legitimate and important means by which bullying behaviour can be identified and dealt with at an early stage.

Grievance policy and procedure

At its 2010 session, the Synod adopted a Grievance Policy and Procedure for dealing with allegations of bullying and other forms of unacceptable behaviour by clergy and church workers in parishes.

The purpose of the policy is to provide an opportunity for persons to deal with allegations of unacceptable behaviour in a godly manner encouraging reconciliation, repentance and the need to seek and respond to God's wisdom. For this purpose "unacceptable behaviour" means bullying, emotional abuse, harassment, physical abuse and spiritual abuse as those terms are understood in the Faithfulness in Service code of conduct.

The policy does not deal with allegations of sexual abuse, child abuse, criminal conduct or professional misconduct. These matters should be referred to the Professional Standards Unit by reporting sexual or child abuse on the Abuse Report Line 1800 774 945 and other matters to (02) 9265 1514.

A flowchart summary of the grievance policy is found on page 12 of this module.

Every parish should retain a copy of the policy at its offices and make it generally available within the parish. A copy of the policy can be downloaded from the Sydney Diocesan Secretariat's (SDS) web site (www.sds.asn.au).

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VIOLENCE IN THE PARISH

Violence in the workplace can arise from 2 sources – internal (from other staff and volunteers within the work environment), or external (from those outside the work environment). Violence may not necessarily be physical, it may be verbal for instance, but in general it will result in a person being in fear of their safety or well being or the security of their property.

While the risk of internal violence cannot be ignored, in the parish context the greater risk is violence from external sources. Commonly such violence arises from those coming onto parish property seeking material gain (e.g., money or other valuable goods). However there are any number of circumstances in which interactions with people have the potential to escalate into violence, if not properly managed.

It is important that the parish takes steps to mitigate the risk of violence to protect its staff and members. The steps that are required will be affected by the physical location and layout of church premises, staffing levels, hours that staff work, broader environment in which ministry is undertaken and other factors which make each situation unique.

However the following general suggestions are given for –
•   Securing work premises
•   Managing violent behaviour

Securing work premises

You should take into account the various factors that impact your premises, evaluate the potential for violence (particularly external), and take steps to protect your staff, such as restricting access to their work area, improving the lighting and changing the access areas (if needed). This may mean that you may need to fit a security door or grill (especially for secluded back or side entrances to the office and/or rectory area) and to keep the front door locked and install a doorbell or intercom system.

Staff and volunteers should be instructed that if a person seeking to enter the office or rectory refuses to identify themselves or the purpose of their visit, they should not be provided entry to the premises.

Staff members and volunteers should not work alone on the parish site, unless it is appropriately secure.

Managing violent behavior

Staff and volunteers should be instructed that if a person starts to become violent they should be given a clear and prompt warning to stop the conduct otherwise the police will be called. If the violent behaviour continues, call the police.

The local police station phone number should be made available to staff and volunteers. Also, consider visiting the police station to introduce yourself, explain the situation, and ask who the most appropriate contact person is.

Except where it is necessary for a person to protect themselves or other people, parish staff or members of the congregation should not attempt to physically restrain or remove a violent person from the premises.

Persistent violent or disruptive behavior

If there are frequent or known visitors to your site who could disrupt parish activities, you should consider the need to have an extra volunteer or two available to patrol the perimeters as "security", particularly when children's activities are happening.
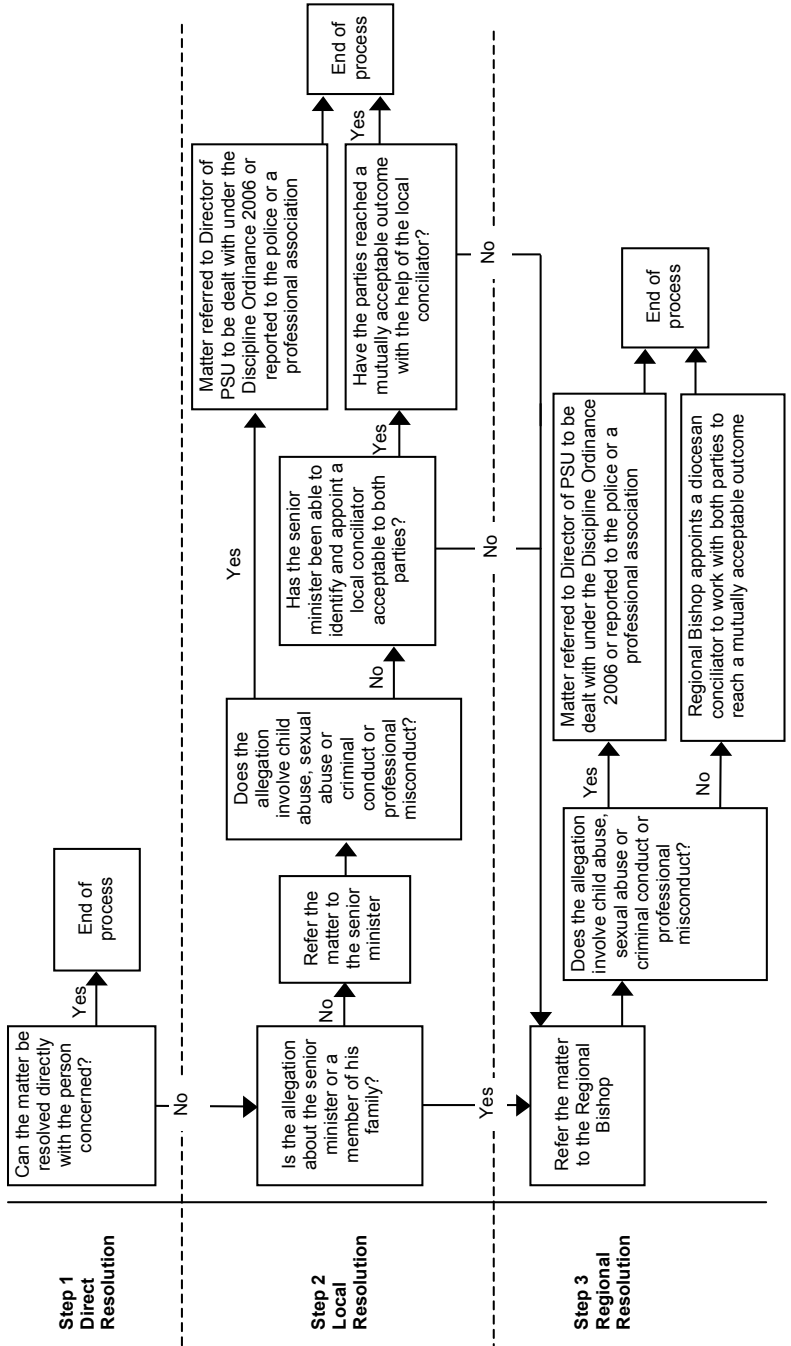
If a particular person presents an ongoing risk of violence or disruption some of the following steps may be appropriate –

* Assign several suitable members of the congregation to monitor this person and be ready to take appropriate action if required (e.g., calling the police).
* Ask the person to leave and indicate that permission to come on to the property has been revoked until further notice. This may be followed up by a letter if appropriate. The communication should be made by the wardens. If the person returns, call the police.
* Discuss the matter with the local police to seek their advice and an indication of what they may be prepared to do in the event the person returns.
* If there are particular persons in fear of violence, an application could be made for an Apprehended Violence Order (AVO). The terms of the AVO may prevent a person from coming onto the church site or other location. Initially enquiries should be made with the local police, although it is possible to make a private complaint direct to the Chamber Registrar at your local court.
* Contact the Manager, Legal Services at SDS for further advice or otherwise seek legal advice from a solicitor.

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GRIEVANCE POLICY and PROCEDURE FLOWCHART SUMMARY

Overview of procedure for dealing with allegations of unacceptable behaviour by a member of the clergy or church worker

Step 1
Direct Resolution

Can the matter be resolved directly with the person concerned?

→ Yes → End of process

→ No →

Step 2
Local Resolution

Is the allegation about the senior minister or a member of his family?

→ No → Refer the matter to the senior minister → Does the allegation involve child abuse, sexual abuse or criminal conduct or professional misconduct?

- Yes → Matter referred to Director of PSU to be dealt with under the Discipline Ordinance 2006 or reported to the police or a professional association → End of process

- No → Has the senior minister been able to identify and appoint a local conciliator acceptable to both parties?

  - Yes → Have the parties reached a mutually acceptable outcome with the help of the local conciliator?
    - Yes → End of process
    - No →
  - No →

→ Yes → Refer the matter to the Regional Bishop →

Step 3
Regional Resolution

Does the allegation involve child abuse, sexual abuse or criminal conduct or professional misconduct?

- Yes → Matter referred to Director of PSU to be dealt with under the Discipline Ordinance 2006 or reported to the police or a professional association → End of process

- No → Regional Bishop appoints a diocesan conciliator to work with both parties to reach a mutually acceptable outcome → End of process

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