



# The Diocese of Southwark

Created by: Diocesan Secretary

Approved by: Diocesan Council of Trustees

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Version 1

## POLICY

### CODE OF CONDUCT FOR SYNOD MEMBERS, TRUSTEES AND COMMITTEE MEMBERS

#### Background

1. We encourage committee members and Trustees to adhere to the so-called ‘*Nolan Principles*’ of the ‘*Seven Standards of Public Life*’<sup>1</sup> which form the basis for this Code of Conduct and were developed into the “Southwark Principles.” We believe that this Code of Conduct builds on this and represents a powerful reminder and encouragement to us all in our calling as fellow servants of Christ and His Church. These include and encompass Christian values, selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. The continued living out of these principles to embed them into our culture is essential as we move forward to adopting our new governance structures, and our commitment to renewed behaviours.

#### Introduction

2. This policy is based on that introduced by the National Church for its elected volunteers on the General Synod Business Committee. This Policy draws together, and complements, the existing declarations of interest and bribery act requirements of trustees. It builds on what we already have in place, and will be something that members and trustees of all committees and boards can endorse and abide by, as a means to good disagreement, better process and furthering the mission of the Church. This Policy will form part of the induction pack for trustees and members of committees, and will also complement the *Governance Code for Larger Charities*<sup>1</sup> which is a useful, albeit imperfect, guide to the governance of a charity as large and as unusually complex as ours, it is used by the National Church.
3. This Code of Conduct sets out the standards of behaviour which members and Trustees should expect of themselves, and their colleagues, in carrying out their roles in their committees/commissions/groups and proposes some of the rules to be followed in specific circumstances.
4. Members are asked to ensure that they are familiar with the Code of Conduct and that they seek guidance from the Diocesan Secretary at an early stage if they are uncertain as to what is asked of them.

#### Scope

5. This policy applies to all DCT trustees and committee members working in our Diocesan synodical governance structure. It includes those nominated by the Bishop.)

## Related Policies

### Declarations of Interest

6. Declarations of interest are important because they disclose context which may be relevant to the way in which the member's arguments may be heard and evaluated by other members. Trustees and committee members are already asked to agree to, and sign, the Diocese's *Ethical Business Practice Policy* (see appendix 3) which includes such declarations, as well as additional agreement for the *Bribery Act* requirements.

### Conduct of Trustee and Committee Meetings

7. Meetings allow for debate and discussion, and views may be expressed with which others disagree or by which they may be offended. However, when speaking on controversial matters, members are urged to express themselves responsibly, being aware of how their views may be received by others. In particular, members are reminded that they should not use abusive or insulting language, or make personal remarks about other members. The Chair has a right to call a member to order and can prevent them from speaking should they use 'unbecoming language'.
8. The Diocese urges members to use the same level of consideration when commenting on social media or via electronic means as they would do at a meeting.

### Relationships between different constituent parts of the synodical governance structure.

9. The Diocesan Bishop and Diocesan Secretary have a responsibility for all matters relating to the sessional business of the Diocesan Synod and Diocesan Governance meetings under Fit for Purpose<sup>2</sup>. Ensuring that synodical governance is upheld with unity of purpose across those bodies under synodical oversight is the responsibility of the Diocesan Secretary guided by the Bishop as President of Diocesan Synod. In doing so the Diocesan Secretary works collaboratively to enable meetings in the governance structure to be conducted in a manner that is fruitful, expeditious and worthy of the Vision that we share.
10. The Diocesan Bishop and Diocesan Secretary reserve the right to exceptionally cancel or postpone meetings where good relationships between parts of the diocesan governance structure are at risk, so that further attempts can be made to resolve the issues.

### Treatment of Diocesan Employees

11. The effectiveness of the Diocese turns partly on the way that members and Diocesan colleagues work together. Members and staff have a shared responsibility to behave towards each other in a professional and respectful manner.
12. As an employer the DCT (DBF) has a legal duty of care to ensure that all of its staff are safe and are treated with courtesy, dignity and respect.
13. While relations between trustees/members and staff are generally excellent there have been some isolated incidents which have led to some perceptions of bullying of staff by volunteers including incidents of poor behaviour towards senior staff members appointed to take leadership roles in serving the Diocese; this can lead to stress and illness as well as defensiveness. It will be a requirement of newly elected trustees and all of the Bishop's appointees to boards and committees to adhere to *Fit for Purpose*, and *Lead Enable Serve*.

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<sup>2</sup> <http://southwark.anglican.org/downloads/resources/Fit-for-Purpose-Report.pdf>

14. We very much hope that this guidance helps both members and staff in developing an effective working environment and relationships.
15. The Diocese encourages members to lead by example, including by demonstrating respect for others, valuing diversity and avoiding discriminatory conduct. Equally, members should at any time feel at liberty to contact the Diocesan Secretary, who is operationally the Chief Executive, if they believe that a member of the staff team has not treated them with courtesy, dignity and respect. Trustees may contact the Bishop direct regarding any concerns they have in this regard in relation to the Diocesan Secretary.
16. Appendix 2 contains a relevant extract from the “Dignity at Work” policy that applies within the Diocesan policies and that has been derived from the National Church’s own policy.

#### Breaches of the Code of Conduct

17. If any member believes that another member has acted in a way that conflicts with this Code of Conduct, they are encouraged in the first instance to speak directly to their brother or sister in Christ. If a member continues to act in such a manner, this should be referred to the Diocesan Secretary who will consult the Bishop if she considers it appropriate. The Diocesan Secretary may choose to write to members if this Code is considered to have been breached, with a request (which may be made public) that the member ceases to do so in future.

### SOUTHWARK DIOCESAN VALUES

Adapted from the 7 Nolan Principles of Public Life for the Fit for Purpose Report 2015<sup>2</sup>

1. **Christian values** Trustees will seek to model and espouse Christlikeness and service. They will be people of prayer. They will be committed to supporting approved diocesan strategy for the furtherance of the mission of the Diocese of Southwark;
2. **Selflessness** Trustees should act solely in terms of the interests of the Church as the Body of Christ, the Diocese and the wider public. They should not **do** so in order to gain financial or other benefits for themselves, their family or their friends. They should take seriously their role as representatives, bringing parish views to meetings and reporting back to their electorate;
3. **Integrity** Trustees should not place themselves under any financial or other **obligation** to outside individuals or organisations that might seek to influence them in the performance of their official duties;
4. **Objectivity** In carrying out public business, including making public appointments, **awarding** contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit;
5. **Accountability** Trustees are accountable for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office;
6. **Openness** Trustees should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict **information** only when the wider public interest clearly demands it;
7. **Honesty** Trustees have a duty to declare any private interests relating to their charitable, synodical or company duties and to take steps to resolve any conflicts arising in a way that protects the interest of the Diocese of Southwark, the wider Church and society;
8. **Leadership** Holders of public office should promote and support these principles by leadership and example.

The continued living out of these principles will embed them in our culture. It is therefore essential that when we adopt new structures, we also commit ourselves to renewed behaviour.

### DIOCESE OF SOUTHWARK DIGNITY AT WORK POLICY

1. The aim of the Dignity at Work Policy is to ensure that all employees:
  - are treated with dignity and respect;
  - are able to work and flourish in an environment free from harassment on the grounds of age, gender, sexual orientation, race, religion or belief, political opinion, marital status, disability, or nationality;
  - are aware that bullying and harassment are not acceptable and will not be tolerated;
  - understand how to raise concerns about bullying and harassment.
2. **Bullying** is behaviour which humiliates or demeans the individual involved and includes persistent criticism and personal abuse, either in public or private,
3. **Harassment** is unwanted conduct related to a protected characteristic under the Equality Act<sup>3</sup> that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This includes third party harassment where an employer is potentially liable for harassment of employees by third parties who are not employees, where the employer fails to take reasonable steps to prevent it. Harassment is from the perspective of the recipient of the treatment, and may vary between persons.
4. **Discrimination** may take a number of forms:
  - **Direct discrimination** - treating people less favourably than others because of an applicable protected characteristic;
  - **Indirect discrimination** - applying a provision, criterion or practice which disadvantages or would disadvantage people who share an applicable protected characteristic (and disadvantages the individual complainant), and which is not justified as a proportionate means of achieving a legitimate aim;
  - **Associative discrimination** - direct discrimination against someone because they associate with another person who possesses an applicable protected characteristic.
  - **Perceptive discrimination** - discrimination against an individual because they are mistakenly perceived to possess an applicable protected characteristic.
  - **Victimisation** - subjecting someone to a detriment because they have done (or the perpetrator believes they have done or may do) a "protected act", e.g. made a formal complaint of discrimination or given evidence in a tribunal case.
5. The Diocese of Southwark will not tolerate abuse, harassment and bullying, discrimination or victimisation - however rare. All complaints of abuse, harassment, bullying, discrimination or victimisation will be taken seriously and thoroughly investigated. Persons affected by such behaviour may complain informally or formally to their line manager, to the Director of HR, to the Deputy Diocesan Secretary who has a pastoral lead for DBF employees or to the Diocesan Secretary.

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<sup>3</sup> age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, gender, sexual orientation or religion or belief, including church tradition

## Diocesan Dignity at Work Policy

1. The aim of the Dignity at Work Policy is to ensure that all Clergy, Lay Ministers, Officers of the PCC, and Diocesan employees:
  - are treated with dignity and respect
  - are able to perform their roles and flourish in an environment free from harassment on the grounds of age, gender, sexual orientation, race, religion or belief, political opinion, marital status, disability, or nationality
  - are aware that bullying and harassment are not acceptable and will not be tolerated
  - understand how to raise concerns about bullying and harassment
2. **Bullying** is behaviour which humiliates or demeans the individual involved and includes persistent criticism and personal abuse, either in public or private.
3. **Harassment** is unwanted conduct related to a protected characteristic under the Equality Act<sup>3</sup> that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. This includes third party harassment where an employer is potentially liable for harassment of employees by third parties who are not employees, where the employer fails to take reasonable steps to prevent it. Harassment is from the perspective of the recipient of the treatment and may vary between persons.
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  - **Indirect discrimination** - applying a provision, criterion or practice which disadvantages or would disadvantage people who share an applicable protected characteristic (and disadvantages the individual complainant), and which is not justified as a proportionate means of achieving a legitimate aim
  - **Associative discrimination** - direct discrimination against someone because they associate with another person who possesses an applicable protected characteristic
  - **Perceptive discrimination** - discrimination against an individual because they are mistakenly perceived to possess an applicable protected characteristic
  - **Victimisation** - subjecting someone to a detriment because they have done (or the perpetrator believes they have done or may do) a "protected act", e.g. made a formal complaint of discrimination or given evidence in a tribunal case
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investigated.

6. Persons affected by such behaviour may complain informally or formally as follows:

- Line Manager or to the Deputy Diocesan Secretary who has a pastoral lead for DBF employees, or to the Diocesan Secretary
- Parish Employees to their Parish Priest or Archdeacon
- Parish Priest to their Archdeacon, Area Dean or the Chaplain to the Bishop of Southwark
- Lay ministers, PCC Officers to their Parish priest, Archdeacon, Warden of Readers, or Diocesan SPA as appropriate.

Every effort will be made to resolve complaints informally. However, the action which will be taken in relation to complaints of bullying or harassment will also be guided by Diocesan Policies, relevant regulations and relevant legal frameworks.

In exceptional cases the advice of external Legal Advisers to the Diocese will be sought.