



Anti-harassment and Bullying policy

Version:	1.0
Date Created:	01 September 2020
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Ratified By:	Board of Trustees
Date Ratified:	04 September 2020
Review Date:	September 2021

Revision History:

Version	Date created	Date ratified	Author	Summary of changes
1.0	Sept 2020	Sept 2020	BJ Pinder	New Policy



Anti-harassment and Bullying Policy

Introduction

We are committed to having a facility which is free from harassment and bullying and to ensure that all Trustees and volunteers (charity representatives), contractors and, others who come into contact with us in the course of our work, are treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, social class, or disability. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is central to providing equal opportunities in the charity.

This policy and procedure are intended to support this commitment in practice and to provide guidance to trustees and volunteers on how to deal with concerns of bullying or harassment.

Policy

We will not tolerate bullying or harassment in our organisation or at charity-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Revenge or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to the removal of trustee status and a ban on access to the community centre building. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We will take appropriate action if any of our representatives or contractors are bullied or harassed by our stakeholders or suppliers.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that a representative has harassed or bullied another representative or contractor, then the offender may be subject to disciplinary action, up to and including dismissal from the organisation.

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a severe effect on innocent individuals. Representatives and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

What type of treatment amounts to bullying or harassment?

Bullying or harassment is something that has happened that is unwelcome, unwarranted and causes a detrimental effect. If representatives complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition.

It is essential to recognise that conduct which one person may find acceptable; another may find unacceptable. All representatives must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include fair criticism of a representatives behaviour or proper performance management.

Reporting Concerns

What you should do if you witness an incident, you believe to harassment or bullying: If you notice such behaviour, you should report the incident in confidence to the Chief Officer or Safeguarding lead. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you feel you are being Bullied or Harassed by a Stakeholder or Supplier (as opposed to a colleague): If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Chief Officer or Safeguarding lead. We will then decide how best to deal with the situation, in consultation with you.

What you should do if you are being Bullied or Harassed by a Colleague: If you are being bullied or harassed by another representative or contractor, there are two possible avenues for you, informal or formal.

Informal Resolution

If you are being bullied or harassed by another representative or contractor, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask your Chief Officer or a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own Chief Officer, you should raise the issue with the Safeguarding Lead. The Chief Officer will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a fellow representative;
- That such behaviour is contrary to our policy;
- That the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the Chief Officer to have this conversation with the alleged perpetrator without revealing your name if this is what you want. They will also stress that the discussion is confidential.

In certain circumstances, we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Chief Officer will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

Raising a Formal Complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to your Chief Officer or Safeguarding lead. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):



- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action was taken by you to resolve the matter informally.

The alleged perpetrator(s) would need to be told your name and the details of your complaint for the issue to be adequately investigated. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a fellow worker or a trade union official.

After the meeting (and generally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal to the Vice-Chairperson if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are unhappy with our decision. You should submit your appeal within five working days of receiving written confirmation of our decision. If you submit a request, you will be invited to attend a meeting to consider it. Once again, you may be accompanied by a fellow worker or a trade union official. We will write to you afterwards to confirm our final decision.

Disclosure and confidentiality

We will treat personal data collected during this process per the data protection policy Information about how employees' data is used, and the basis for processing data is provided in the Trustee privacy notice.

Use of the Disciplinary Procedure

Harassment and bullying constitute serious misconduct. If at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any representative found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.