



Anti Bullying and Harassment Policy 2024

Hesketh Bank Community Centre (HBCC) seeks to provide a work environment in which all employees and volunteers are treated with consideration, respect and dignity and is free of harassment, bullying, discrimination or abuse. This policy has been developed to ensure that everyone knows the behaviour expected of them; what is not acceptable; what support is available for those who feel bullied, harassed or discriminated against and what steps to take if you feel that you are not being treated with dignity and respect including how to make an informal or formal complaint.

This policy applies to all staff, volunteers, service users, trustees and stakeholders and business partners.

HBCC will not tolerate bullying, harassment or discrimination in any form. It recognises that there is a legal responsibility to prevent harassment related to age, disability, gender reassignment, race (including colour, nationality and ethnic or national origins), religion or belief, sex and/or sexual orientation. In this policy, these are known as the '**protected characteristics**'.

Any bullying, harassment, discrimination or intimidating behaviour will be treated as potential gross misconduct under the trustees' disciplinary procedure and could render the any individual liable to summary dismissal. Staff and volunteers should bear in mind that they can be held personally liable for any act of unlawful harassment. Staff and volunteers who commit serious acts of harassment may also be guilty of a criminal offence.

All staff and volunteers are responsible for conducting themselves in accordance with this policy and the trustees will not condone or tolerate any form of harassment, bullying or intimidation, whether engaged in by staff and/or volunteers, or by outside third parties who do business with the trustees, such as stakeholders, outside parties and/or anyone who hires the venue. The trustees will take appropriate action against any third parties who are found to have committed an act of improper or unlawful harassment against its staffs and volunteers.

Staff and/or volunteers should draw the attention (at the nearest opportunity) to suspected cases of harassment, bullying or intimidation. All staff and volunteers must not victimise or retaliate against an individual who has made allegations or complaints of harassment or who has provided information about such harassment. Such behaviour will be treated as potential gross misconduct under the trustees' disciplinary procedure. This policy covers bullying and harassment both in the workplace.

Bullying and Harassment

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Harassment as defined in the Equality Act 2010 is “Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual” A staff member or volunteer who also harasses another staff member or volunteer if they engage in unwanted conduct of a sexual nature, and the conduct has the purpose or effect of violating the other staff’s dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other staff.

Finally, any staff harasses another staff if they or a third party engage in unwanted conduct of a sexual nature or that is related to gender reassignment or sex, the conduct has the purpose or effect of violating the other staff’s dignity, or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that other staff, and because of that other staff’s rejection of or submission to the conduct, they treat that other staff less favourably than they would treat them if they had not rejected, or submitted to, the conduct.

The unwanted conduct will still amount to harassment if it is based on the protected characteristic of a third party with whom the staff is associated and not on the staff’s own protected characteristic, or if it was directed at someone other than the staff, or even at nobody in particular, but they witnessed it. In addition, harassment can include cases where the unwanted conduct occurs because it is perceived that an staff has a particular protected characteristic, when in fact they do not.

Conduct may be harassment whether or not the person intended to offend. Something intended as a joke or as office banter may offend another person. This is because different staffs find different levels of behaviour acceptable and everyone has the right to decide for themselves what behaviour they find acceptable to them.

Behaviour which a reasonable person would realise would be likely to offend an staff will always constitute harassment without the need for the staff having to make it clear that such behaviour is unacceptable -for example, touching someone in a sexual way. With other forms of behaviour, it may not always be clear in advance that it will offend a particular staff - for example, office banter and jokes. In these cases, the behaviour will constitute harassment if the conduct continues after the individual has made it clear, by words or by their conduct, that such behaviour is unacceptable to them. A single incident can amount to harassment if it is sufficiently serious.

Examples

Harassment and Bullying may be verbal, non-verbal, written, or physical. Examples of unacceptable behaviour covered by this policy include, but are not limited to, the following:

- Spreading malicious rumours or insulting someone.
- Ridiculing, demeaning someone, use of nicknames, picking on them or setting them up to fail
- Exclusion or victimisation.
- Unfair treatment.
- Overbearing supervision or other misuse of power or position.
- Unwelcome sexual advances – touching, standing too close, display of offensive materials, asking

for sexual favours, making decision on the basis of sexual advances being accepted or rejected, questions about someone's sex life.

- Making threats or comments about job security without foundation.
- Deliberately undermining a competent worker by overloading and constant criticism.

Reporting and Investigation of complaints

All allegation(s) of harassment or bullying will be dealt with seriously, confidentially and speedily. The trustees will not ignore or treat lightly grievances or complaints of harassment from staff or volunteers alike.

The allegation(s) will be promptly investigated and, as part of the investigatory process, the staff and/or volunteer will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the trustees must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged bully or harasser so that they are able to fairly respond to the allegations.

While the trustees encourage staff and volunteers (who believe they are being harassed or bullied) to notify the offender (by words or by conduct) that their behaviour is unwelcome, the trustees also recognise that actual or perceived power and status disparities may make such confrontation impractical.

In the event that such informal, direct communication is either ineffective or impractical, or the situation is too serious to be dealt with informally, the following steps should be followed in reporting a complaint of harassment or bullying, whether that complaint is against a fellow staff member or volunteer or against a third party such as a stakeholder, member of the public or supplier:

- a. Any staff member or volunteer who believes they have been or are being harassed or bullied in violation of this policy, or who wishes to report an incident of harassment or bullying, should report the situation to the centre manager (in charge at the time). If the staff member or volunteer does not wish to speak to the centre manager, they can instead speak to one of the trustees (contact details being provided accordingly).
- b. Such reports should be made promptly so that investigation may proceed and any action taken expeditiously.
- c. All allegations of harassment or bullying will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, the individual(s) will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Confidentiality will be maintained during the investigatory process to the extent that this is practical and appropriate in the

circumstances. However, in order to effectively investigate an allegation, the organisation must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged bully or harasser so that they are able to fairly respond to the allegations. The trustees reserve the right to arrange for an external arbitrator to conduct the investigation other than the person with whom the staff member or volunteer raised the matter.

- d. Once the investigation has been completed, the staff member or volunteer will be informed in writing of the outcome and the trustee's conclusions and decision as soon as possible. The trustees are committed to taking appropriate action with respect to all complaints of harassment or bullying which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged bully or harasser (see below).
- e. If an staff member or volunteer's complaint is upheld and the bully or harasser remains in the centre, the trustees will take all reasonable steps to ensure that that staff member/volunteer does not have to continue to work alongside the bully or harasser if they do not wish to do so. The trustees will discuss the options with the complainant.
- f. If the complaint is not upheld, arrangements will be made for those involved to continue or resume working and to repair working relationships (if this is possible/achievable).
- g. Staff and/or volunteers will not be penalised or victimised for raising a complaint, even if it is not upheld, unless the complaint was both untrue and made in bad faith.

Disciplinary Action

Any staff member or volunteer of HBCC who is found to have bullied or harassed another person in violation of this policy will be subject to appropriate disciplinary action under the trustees' disciplinary procedures. Such behaviour may be treated as potential gross misconduct and could render that staff member or volunteer liable to summary dismissal.

Training

The trustees of HBCC will take such measures as may be necessary to ensure the proper training, supervision, and instruction, to enable all concerned to deal more effectively with complaints of bullying and harassment.

The trustees will also provide training to all staff and volunteers to help them understand their rights and responsibilities under this policy and what they can do to create a work environment that is free of bullying and harassment.

If you need any further information relating to this policy, please contact a member of staff.

This policy has been approved for issue by the board of trustees of HBCC.

Policy dated: 01/03/2024

Policy review date: 28/02/2025

Policy links:

Centre Health and Safety Policy

Youth Group Health and Safety Policy

Youth Group Standards of Behaviour Pledge

HBCC Safeguarding Policy

HBCC Complaints Policy