



Registered Charity Number 1058931

www.pdccf.org

Anti-Harassment & Bullying Policy

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Authorised: Dr Martin Hussey, Chair
on behalf of PDCCF Trustees

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Anti-harassment and bullying policy

Policy

Our aim is to provide an environment that respects everyone's rights and where we treat each other with respect. Any behaviour that undermines this aim is unacceptable.

The Poole & District Children's Cancer Fund (P.D.C.C.F.) does not tolerate any form of harassment or bullying under any circumstances. While implementing and upholding the policy is the duty of charity trustees, everyone has a responsibility to ensure that harassment does not occur in The Poole & District Children's Cancer Fund.

Principles and procedures

The following procedure has been designed to inform trustees and other volunteers about the type of behaviour that is unacceptable. The P.D.C.C.F. will not tolerate harassment or bullying of:

- Trustees
- volunteers
- others working on behalf of the PDCCF
- ex-trustees
- previous volunteers

This policy also applies to all activity related to the PDCCF.

Harassment

Definition

Harassment is unwanted conduct related to a relevant protected characteristic (an area covered by discrimination legislation) which has the purpose of violating an individual's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive working environment for them.

Harassment will also occur where someone is treated less favourably because they have rejected or refused to submit to sex-based harassment, sexual harassment or gender reassignment harassment.

Where it cannot be established that there was an intention to offend, conduct will only be regarded as violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment if, taking all the circumstances into account it would be reasonable to come to that conclusion.

People can be subjected to harassment on a wide variety of grounds. Some examples are:

- Sex-based (purely because of gender) or sexual (sexual in nature)
- Sexual orientation
- Trans-sexualism (gender reassignment)
- Being married or a civil partner
- Race, nationality, ethnic origin, national origin or skin colour

- Disability itself or a reason relating to it
- Age
- Employment status,
- Religion or religious beliefs or lack of either
- Deeply held personal beliefs or lack of them
- Political beliefs
- Health
- Physical characteristics
- Willingness to challenge harassment – being ridiculed or victimised for raising a complaint

Harassment is normally characterised by more than one incident of unacceptable behaviour, particularly if it reoccurs, once it has been made clear by the victim that they consider it offensive. However, one incident may constitute harassment if it is sufficiently serious. Harassment on any grounds, including the above, will not be tolerated.

PDCCF trustees will take steps to prevent harassment and investigate complaints. Harassment on any grounds is a criminal offence, primarily under the Protection from Harassment Act 1997.

Examples of harassment

It must recognise that what is acceptable to one person may not be acceptable to another.

Examples of harassment include:

- Verbal – crude language, open hostility, offensive jokes, suggestive remarks, innuendoes, rude or vulgar comments, malicious gossip and offensive songs.
- Non-verbal – wolf-whistles, obscene gestures, sexually suggestive posters/calendars, pornographic material (both paper-based and generated on a computer, including offensive screen-savers), graffiti, offensive letters, offensive e-mails, text messages on mobile phones and offensive objects.
- Physical – unnecessary touching, patting, pinching, or brushing against another employee's body, intimidating behaviour, assault and physical coercion.
- Coercion – pressure for sexual favours and pressure to participate in political, religious or trade union groups, etc.
- Isolation or non-cooperation and exclusion from social activities.
- Intrusion – following, pestering, spying, etc.

Bullying

Definition

Bullying is a gradual wearing down process comprising a sustained form of psychological abuse that makes victims feel demeaned and inadequate. Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, which has the purpose, or effect of intimidating, belittling and humiliating the recipient, leading to loss of self-esteem for the victim and ultimately self-questioning his or her worth in the workplace and society as a whole.

Examples of bullying

Bullying can range from extreme forms such as violence and intimidation to less obvious actions, like deliberately ignoring someone. These can be split into two categories:

The obvious:

- Shouting or swearing at people in public and private.
- Persistent criticism.
- Ignoring or deliberately excluding people.
- Persecution through threats and instilling fear.
- Spreading malicious rumours.
- Constantly undervaluing effort.
- Dispensing disciplinary action that is totally unjustified.
- Spontaneous rages, often over trivial matters.

The less obvious:

- Withholding information or supplying incorrect information.
- Deliberately sabotaging or impeding work performance.
- Constantly changing targets.
- Setting individuals up to fail by imposing impossible deadlines.
- Removing areas of responsibility and imposing menial tasks.

The actions listed must be viewed in terms of the distress they cause the individual. It is the perceptions of the recipient that determine whether any action or statement can be viewed as bullying.

The impact of harassment and bullying

Harassment and bullying can lead to illness, absenteeism, an apparent lack of commitment, poor performance and resignation.

The damage, tension and conflict that harassment and bullying creates should not be underestimated. The result is not just poor morale, but higher turnover of trustees and volunteers, reduced productivity and poor service.

Public image can be badly damaged when incidents of harassment and bullying occur, particularly when they attract media attention.

Enforcement

Any harassment or bullying will be classed as gross misconduct.

All trustees will be informed of the PDCCF's policy towards harassment and bullying when taking up their role. It will be stressed that all complaints of harassment will be treated seriously.

The PDCCF expects all trustees and employees to respect the dignity of their colleagues.

Training, communication and awareness

The PDCCF recognises that a written policy is not sufficient to eliminate harassment and bullying. It is important that all trustees:

- Understand the commitment to prevent harassment and bullying.
- Understand their responsibilities and role in the process.
- Know how to seek advice and guidance.
- Know how to make complaints and are confident they will be handled effectively.

The PDCCF is committed to communicating the policy through:

- Publication on the Charity website
- Regular review and discussion of the policy
- Induction of new trustees and co-opted members

Procedures

Advice

PDCCF recognises the sensitive nature of harassment and bullying. Trustees and other volunteers who believe they are being harassed or bullied may wish to discuss their situation before deciding what action to take. The PDCCF operates an open-door policy to discuss problems. Trustees and other volunteers can discuss the matter with a charity trustee on an informal basis.

A trustee adviser will:

- ensure the conversation remains confidential as far as possible;
- listen sympathetically;
- help individuals consider objectively what has happened;
- discuss what outcome the individual would wish to see;
- draw attention to available procedures and options;
- inform the individual of the legal liabilities involved;
- help weigh up the alternatives, but without pressure to adopt any particular course;
- assist the individual in dealing with the situation, if they ask for help.

Confidentiality will be maintained as far as possible. If a person decides not to take any action to deal with the problem and the circumstances described are very serious, the PDCCF reserves the right to investigate the situation. It has an overall duty of care to ensure the safety of all people who may be adversely affected by the alleged harasser's/ bully's behaviour.

Solutions

It is for the individual to decide which route to take in solving any problem that has occurred. There are two types of solution available – informal and formal.

Informal

Trustees and other volunteers can choose to solve the matter themselves by approaching the harasser or bully, telling them that their behaviour is unwelcome and that it must stop. Otherwise a formal complaint will be made using the procedure outlined below.

If victims would find it difficult or embarrassing to raise the issue directly with the person creating the problem, support can be sought from a charity trustee who can accompany the victim when speaking to the harasser or bully.

A third option, is that the victim can put their views in writing to the harasser or bully, telling them that their behaviour is unacceptable and that it must stop.

Formal

Where informal solutions fail, or serious harassment or bullying occurs, trustees or volunteers can bring a formal complaint in the form of a grievance, with the procedure adapted to take account of the sensitivities of such situations. Each step and action under the formal complaint procedure will be taken without unreasonable delay.

Complaints will be investigated swiftly and confidentially while ensuring that the rights of both the alleged victim and the alleged harasser or bully are protected. Trustees / volunteers and witnesses can be assured that they will not be ridiculed or victimised for making, or assisting a colleague in making, a complaint, even if it is not upheld, as long as it is made in good faith. Everyone involved in the investigation, including witnesses, will be required to maintain confidentiality. The procedure is as follows:

Step 1: Lodging a statement of grievance and investigating:

- The complaint should be put in writing, outlining the alleged incidents, when they occurred, the harm caused, the names of any witnesses and the name of the alleged harasser or bully.
- If the victim would find it distressing to set out their complaint in writing, then they should contact a charity trustee who will help.
- The written complaint should initially be lodged with the Chair of the charity trustees. If this would not be appropriate in the circumstances, it should be lodged with another trustee of the charity.
- An independent investigator will be appointed who has had no previous involvement with the situation and who will conduct investigatory interviews with the complainant, the individual against whom the complaint has been lodged and any relevant witnesses. The right to accompaniment will be provided to all those interviewed.
- The investigator will submit a full report to the Chair (or other trustee) who is to hear the grievance.

Step 2: Grievance meeting:

- The alleged perpetrator will be invited to a meeting with a Chair or other trustee to discuss the grievance and the result of the independent investigator's report.
- The alleged perpetrator will be provided with the right to accompaniment.
- The timing and location of the meeting must be reasonable.

- The meeting will not take place until the Chair (or other trustee) has had a reasonable opportunity to consider the information contained in the grievance letter and the independent investigator's report.
- The alleged perpetrator must take all reasonable steps to attend the meeting.
- The meeting must be conducted in a manner that enables the alleged perpetrator to explain their case and the manager to set out the results of the investigation.
- After the meeting the Chair (or other trustee) will inform the alleged perpetrator of their decision as to the grievance and notify the alleged perpetrator of the right to appeal against that decision if the perpetrator is not satisfied with it.

Step 3: Hearing the appeal:

- If the employee wishes to appeal, he or she must inform the PDCCF Trustees.
- The alleged perpetrator will be invited to attend a further meeting with a trustee who did not investigate the original grievance.
- The alleged perpetrator will be provided with the right to accompaniment.
- The timing and location of the meeting will be reasonable.
- The alleged perpetrator must take all reasonable steps to attend the meeting.
- The meeting will be conducted in a manner that enables both sides to explain their cases.
- After the appeal meeting the trustee who heard the appeal will inform the alleged perpetrator of the final decision, normally within 5 working days.

Full records will be kept of the grievance proceedings and copies of meeting records given to the complainant.

If the complaint is upheld the matter will be passed to the appropriate trustee to conduct a disciplinary hearing with the person who perpetrated the harassment or bullying.

Continuing to work together

Whether a complaint is upheld or not, PDCCF recognises that it may be difficult for the trustees / volunteers concerned to continue to work in close proximity to one another during the investigation or following the outcome of the proceedings. If this is the case PDCCF will consider a voluntary request from either party to transfer to another role. A transfer cannot always be guaranteed, however.

Monitoring

Where harassment or bullying has been found to have occurred and the perpetrator continues to work for the PDCCF, regular checks will be made to ensure that harassment has stopped and that there has been no victimisation or retaliation against the victim. PDCCF will also ensure that the person who committed the act of harassment or bullying is not victimised in any way.

Malicious complaints

Where a complaint is blatantly untrue and has been brought out of spite, or for some other unacceptable motive, the complainant will be removed from their role with the charity, as will any witnesses who have deliberately misled PDCCF during its investigations.