



# VALEWAYS

## Anti - Bullying and Harassment Policy and Procedures

| Status | Date Approved | Approved by | Name         | Signature        | Review Date  |
|--------|---------------|-------------|--------------|------------------|--------------|
| Final  | 06 Sept 2022  | Trustees    | Greg Clark   | <i>G W Clark</i> | 30 Sept 2024 |
|        |               |             | Peter Weston | <i>P Weston</i>  |              |

## **Purpose and Scope**

The purpose of this Bullying and Harassment Policy is to provide a working environment and activities that are free from bullying and harassment. We aim to ensure that employees, volunteers, and walkers are treated, and treat others, with courtesy and respect.

This policy covers incidents of bullying or harassment in any place, including online, where the charity operates.

This policy also serves to resolve any grievances that employees, volunteers and walkers may have as quickly and fairly as possible. This policy shall be followed in dealing with any complaints raised by employees, volunteers, and walkers. This policy also describes the disciplinary procedure.

## **Principles**

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. A person may be harassed even if they were not the intended "target".

Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. It is unlawful under the Equality Act 2010 to harass a person because of their age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. It also includes conduct of a sexual nature (sexual harassment).

Harassment is unacceptable even if it does not fall within any of these categories.

Examples of harassment include, but are not limited to:

- unwanted physical conduct including touching, pinching, pushing and grabbing;
- unwelcome sexual advances or suggestive behaviour;
- offensive e-mails, text messages or social media content or the display of offensive materials;
- unwanted jokes, banter, mocking, mimicking or belittling a person.

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority. Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, email and social media.

Examples of bullying include:

- physical or psychological threats;
- overbearing and intimidating levels of supervision;
- inappropriate derogatory remarks about a person or their performance;
- shouting at trustees, volunteers, staff or walkers;

- persistently picking on people in front of others or in private;
- regularly and deliberately ignoring or excluding volunteers or staff from work activities or work-related social events;
- setting a person up to fail by overloading them with work or setting impossible deadlines;
- regularly making the same person the butt of jokes (legitimate and reasonable criticism of performance or behaviour, or reasonable management instructions, do not amount to bullying).

Bullying and harassment is not tolerated within our charity and employees, volunteers and walkers are required to treat each other, along with our customers, suppliers, and visitors, with dignity and respect. Breaches of this policy will be dealt with in accordance with our grievances and/or our disciplinary procedures (below).

### **Grievance Procedure**

If you believe you are being harassed or bullied, you may wish to raise the problem informally with the person responsible. Explain the situation and how it has made you feel. It can be helpful to describe the event so the other person is clear about your concerns. Use the opportunity to ask the person to change or stop their behaviour, and correct any mis-statement.

Alternatively, if you don't feel comfortable approaching the person responsible, you may raise the matter as a complaint or grievance with one of the trustees, who can provide confidential advice and assistance in resolving the issue informally. If you do not feel that informal steps are appropriate, or they have been unsuccessful, you should raise the matter formally with a trustee.

All complaints will be investigated and the trustee to whom the matter has been referred will decide whether there is sufficient evidence to suggest you have been harassed or bullied. Where there is sufficient evidence and informal steps have failed to resolve the matter, the trustee will refer to the other trustees and raise the matter formally with the person accused.

If the matter has been adjudged serious by the trustees this may require invoking our disciplinary procedure (below). Whether or not your complaint is upheld, the trustees will determine how best to manage any ongoing working relationship between you and the person concerned.

### **Disciplinary Procedure**

Serious cases of bullying or harassment may amount to gross misconduct resulting in the dismissal of trustees, or the exclusion or dismissal of employees, volunteers or walkers. This will be determined by the trustees, excluding any involved in the incident, and communicated in writing.

Other instances of gross misconduct failing to meet Valeways codes of conduct and guidelines may also trigger the application of the disciplinary procedure as determined by the trustees, and will be communicated in writing to the person being disciplined.

If the person disciplined feels the matter has not been satisfactorily resolved they can appeal. They must write to the person detailed in the outcome letter within five days of receiving the response. An appeal meeting should be arranged, ideally within 15 working days, to discuss and try to resolve the grievance. The person disciplined has the right to be accompanied at the appeal meeting by a colleague/friend.

Preferably within five working days of the meeting, the person who conducted the appeal meeting will ensure that the person disciplined receives a written response to their appeal. This decision is final.

Employees, volunteers and walkers who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. However, making a false allegation deliberately and in bad faith will be treated as misconduct and dealt with under this disciplinary procedure. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action.

### **Policy Review**

The Trustees have a responsibility to review this policy every two years.

Copies of all other Valeways policies are available on request.

**Adopted September 2022**