

Colintraive and Glendaruel Development Trust

Zero Tolerance of Bullying and Harassment

The Colintraive and Glendaruel Development Trust (CGDT) wants to ensure that it creates a positive and safe place of work for all its employees, workers and contractors, and a welcoming environment for all volunteers, directors, members and visitors and therefore has a zero tolerance approach to the management of any alleged or actual bullying, harassment, victimisation or intimidation towards any employee, worker, volunteer, director, member or visitor.

Aim

These guidelines have been designed to offer practical ways of dealing with harassment, bullying, victimisation and intimidation. Following the guidelines may help to stop the harassment or bullying yourself. They also explain how CGDT deals with reports of harassment, bullying, victimisation and intimidation.

The guidelines complement the CGDT's employee handbook, articles of association and any other operational policies in place at any time.

Definitions

Employees and workers are any individual employed by the CGDT and subsidiary companies in any capacity.

Contractors are any individual contracted to provide specialist services to CGDT from time to time. Directors are any individual who serves as a volunteer board member.

Volunteers are any individual who voluntarily gives their time to support the various CGDT activities. Members are any individual who is a member of CGDT in any membership category.

Visitors are any person or persons who are not employees, workers, volunteers, directors, contractors or members who are legitimately interacting with CGDT.

Policy statement on Equality, Diversity and Inclusion

CGDT fosters good relations between people who share a relevant protected characteristic and those who do not, celebrates diversity, challenges inequality and is committed to nurturing an inclusive and diverse community that is open to all who have the potential to benefit from membership of it, and which ensures equality of opportunity for all its members. We expect all members of our community, employees, workers, volunteers, directors, contractors, members and visitors to be treated, and to treat others, with dignity and respect. We have a zero-tolerance approach to discrimination, harassment and bullying, victimisation and intimidation.

Zero tolerance means that:

- (i) we will take action and
- (ii) (ii) the action will be proportionate to the circumstances of the case.

We are committed to meeting our obligations under the Equality Act 2010, which requires CGDT to show no discrimination as required by law on account of age, disability, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

CGDT will always act lawfully and this may include taking action to support people with particular protected characteristics, including disability and sex. In addition to its obligations under the Equality Act, CGDT shall adopt policies, practices, and procedures that define expected standards of behaviour.

Harassment and bullying: Our zero tolerance approach

Harassment and bullying can adversely affect working, living, and social conditions for employees, workers, contractors, volunteers, directors, members and visitors and are unacceptable.

Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident, if sufficiently serious, can also amount to harassment. All harassment, whether or not it relates to a protected characteristic, is covered by this policy.

When deciding whether any unwanted conduct amounts to harassment for the purposes of this policy, CGDT will consider the perception of the person, *including board directors*, raising the concern, the other circumstances of the matter and whether it is reasonable for the conduct to be considered to have the purpose or effect described. Harassment can be in verbal, written or physical form and can cause stress, anxiety, fear or sickness on the part of the harassed person or group. Differences of attitude, background or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another. However, this does not make it acceptable.

Harassment related to a relevant protected characteristic and undertaken by an employee or agent of CGDT (volunteer, trustee or contractor) may be unlawful under the Equality Act 2010.

An Individual's personal religious or any other belief does not justify harassment on any other ground including gender identity and sexual orientation. Being under the influence of alcohol or drugs will not be accepted as an excuse for harassment.

Some general examples of harassment or behaviour that falls short of expected standards might include teasing, comments about personal characteristics or appearance, unreasonable criticism, *repeated correspondence of malicious nuisance*, *time wasting*, promises of reward or threats made to secure sexual favours or negative comments about someone's age, disability, gender reassignment, race, religion or belief, sex or sexual orientation or other characteristics to which protection is provided.

For more specific forms of harassment concerning certain protected characteristics see Appendix 1. Any act of harassment that involves the abuse of a position of authority or trust will be regarded by CGDT as very serious and could constitute gross misconduct if you are an employee or worker and will be subject to our disciplinary policy or if you are a director or member you may be subject to removal in compliance with the articles of association.

Our zero tolerance approach does not mean 'one strike and you're out' but it does mean that any demonstrated incidents of harassment or bullying will be regarded seriously and may constitute potential grounds for disciplinary action up to and including dismissal, with or without notice, removal from the board of trustees or expulsion from the membership of CGDT in line with Director's Code of Conduct and/or CGDT Memorandum and Articles.

Bullying

The Trust defines bullying as follows:

"Bullying is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power, through means that may reasonably be considered to have the effect of undermining, humiliating, denigrating or injuring the recipient or recipients (emotionally or physically)."

Examples of behaviours that may constitute bullying include:

- making someone feel frightened, less respected, made fun of or upset
- making false statements or spreading a false rumour about someone
- putting someone down or speaking down someone in meetings. *The level of provocation will be taken into consideration.*
- *Making unjustifiable, unreasonable or incorrect speculations of an individual's or group's capability, motivations, or opinions.*
- persistently ignoring or 'talking down' an individual
- criticising an individual in an inappropriate manner or belittling them about their work, personality or appearance
- unjustified, unreasonable or incorrect criticism or questioning of an individual's work or opinions
- *Repeated malicious correspondence or behaviour designed to impede a fellow member, director, volunteer or employee from carrying out CGDT business*
- not allowing someone to go on training courses, but allowing everyone else to
- giving someone a heavier workload than everyone else
- excluding someone from team/group social events
- pressurising an individual into behaviour or actions against their wishes

In certain situations, one-off actions may constitute bullying.

Harassment or bullying via social media or other electronic means

Harassment or bullying through social networking sites and messaging apps such as Facebook or Twitter or through other electronic means such as text message, email or websites is not acceptable. The sharing and spreading information from such sites is unacceptable.

The following are some examples of what might constitute this form of harassment or bullying:

- Unjustified, unreasonable or incorrect questioning of an individual's capability, motivations or opinions.
- Pages /websites that identify and shame individuals
- Images altered to degrade individuals
- Photos or videos of physical bullying posted to shame the victim
- Sharing personal information to blackmail or harass people
- Repeatedly targeting other people with unwanted friend requests or messages
- Non-consensual sharing of sexually explicit photographs

Intimidation

CGDT defines intimidation as intentional behaviours which result in the other person experiencing general discomfort like humiliation, embarrassment, inferiority, or limited freedom.

Some examples of intimidating actions may be behaviours which

- make the other person submissive (also known as cowing),
- destabilise/undermine the other,
- force compliance
- take the form of condescending comments, rudeness, sarcasm, disrespect, patronising, degrading comments or disparaging comments

Indications that an individual has been subjected to intimidation may be:

- developing apprehension,
- experiencing fear of injury or harm,
- stress
- becoming unusually emotional.

Victimisation

CGDT seeks to protect any member, employee or director from victimisation. CGDT will regard as victimisation any instance where a person is subjected to detrimental treatment because:

- that person, in good faith, made an allegation of harassment, or
- indicated an intention to make such an allegation, or
- assisted or supported another person in bringing forward such an allegation, or
- participated in an investigation of a complaint, or
- participated in any disciplinary hearing arising from an investigation, or
- Is suspected of having done so.

Victimisation carried out by an employee or agent (volunteer, trustee or contractor) of CGDT may also amount to a breach of the Equality Act 2010.

Hate incidents

CGDT investigates any incident which is perceived by the victim, or any other person (e.g. a witness), to be motivated by hostility or prejudice based on a person's:

- disability or perceived disability;
- race or perceived race;
- religion or perceived religion;

- sexual orientation or perceived sexual orientation;
- transgender identity or perceived transgender identity.

Where, following investigation and consideration of the evidence, an incident is found to be motivated by hostility or prejudice, CGDT will consider this to be a Hate Incident and treat this as an aggravating factor in considering any appropriate action to take. Hate Incidents may also be crimes and consideration should be given to reporting such matters to the police.

The incident can take many forms, and be perpetrated by either an individual or group, including:

- physical attacks, such as physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- threat of attack, including offensive letters, abusive or obscene telephone calls and other intimidating behaviour
- verbal abuse or insults, abusive gestures
- other abuse, such as offensive leaflets, posters and articles, unfounded and malicious complaints and bullying.

What should you do if you experience harassment, bullying, intimidation or victimisation? If you feel that you are being subjected to harassment or bullying in any form do not feel that it is your fault or that you have to tolerate it. CGDT's primary concern is that the harassment stops and that there is support and assistance available when needed. If possible, you should make it clear to the person causing offence that their behaviour is unacceptable to you. You can speak to them directly but you may find it easier to do this by letter or email (you should keep a copy). This may in some instances be sufficient to stop the behaviour. You can also ask someone else to speak to them on your behalf. This could be your manager or a member of the board who will take appropriate action to seek to stop any bullying or harassment.

If you are an employee you may also decide to raise a grievance in line with the CGDT Grievance Policy outlined in the Employee Handbook. It is important to make a note or keep a diary of the details of any relevant incidents which distress you – particularly if you feel unable to speak to the person concerned or if, having spoken to them, the behaviour persists. If the harassment has caused you to change the pattern of your work or social life or if it has had any effect on your health, you should include this information as well.

You do not have to experience harassment or bullying yourself to report it. If you observe someone else being harassed or bullied you are strongly encouraged to report it. We appreciate that making a complaint is not easy but we encourage openness so that we can best enforce this policy. Please note where reports are made anonymously, CGDT is less likely to be able to take any action.