



## FVH Anti-bullying and harassment policy guidance

1. Bullying and harassment can be detrimental to individuals and may happen without the individual or others recognising the behaviour. It's also important to acknowledge that, for various reasons, recipients of bullying and harassment may not wish or be able to report their concerns. Bullying or harassment can take many forms; it can occur between two individuals or may involve groups. It may be persistent or an isolated incident. It can also occur in person, written or electronic communications, including social media or by phone.
2. Bullying is characterised as offensive, intimidating, malicious or insulting behaviour, abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. It's not classed as bullying if Management Trustees are solely making sure you follow the rules as laid out in the Hall Regulations. It's more than a strong, firm or authoritarian interaction. It's destructive rather than constructive, it's a criticism of the person rather than their mistakes, to publicly humiliate rather than privately correct; and results in the individual feeling threatened or compromised.
3. Bullying usually results from the misuse of status; it can also result from the misuse of any form of individual power. It's recognised that there is a difference between feeling bullied and being bullied. An individual may experience feelings similar to those of harassment, for example feeling compromised or threatened, if they're being corrected or reprimanded by their line manager. However, provided the correction or reprimand is carried out reasonably, and in an appropriate and constructive manner, this would not constitute bullying.
4. The following list is a (not exhaustive) list of examples of bullying:
  - a. **Non-verbal**
    - (1) Excluding or ignoring someone.
    - (2) Withholding essential information/training resources.
    - (3) Setting impossible objectives.
    - (4) Unreasonable allocation of tasks/duties/responsibilities.
    - (5) Deliberate wrongful attribution of blame.
  - b. **Verbal**
    - (1) Shouting, swearing, abuse, malicious gossip, assigning unwanted nicknames.
    - (2) Victimising or singling out someone for different treatment.
    - (3) Overbearing line management; over demanding or unfair treatment.
    - (4) Frequent unwarranted criticism or deliberate undermining of someone or their work.
    - (5) Public reprimand/humiliation, ridicule, sarcasm.

- (6) Singling out or victimisation.
- (7) Belittling or patronising comments.
- (8) Invading personal privacy/unnecessary and intrusive phone calls.
- (9) Spreading malicious rumours or gossip.
- (10) Making physical or psychological threats.

**c. Physical**

- (1) Striking or hitting
- (2) Grabbing a person or their clothes
- (3) Pushing, jostling or prodding
- (4) Practical jokes or initiations
- (5) Rifling, damaging or stealing personal possessions

5. It's accepted that these descriptions represent extremes of behaviour, although in practice bullying may not always be clear and individuals may display behaviour that doesn't fall into these categories or may not be explicit.

**Harassment**

6. Harassment is 'unwanted conduct that has the purpose or effect of violating people's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment' (Equality Act 2010). Harassment may be conduct based on protected characteristics: age, disability, gender reassignment, marriage/civil partnership, pregnancy and maternity, race, colour, nationality, ethnic origin, religion or belief, gender or sexual orientation. Harassment can also occur due to an individual's language, political belief, social background or nonrelevant criminal background (the above list is neither exhaustive nor exclusive).

7. FVH Trustees would also consider harassment to be the discrimination or persecution of any individual for association with another individual who has a protected characteristic or on a perception that an individual has a particular protected characteristic when they do not. This may be harassment by perception or association.

8. Harassment can take many forms; for example, verbal and/or written abuse, ignoring or subjugating colleagues to unwanted attention, ridiculing and humiliating colleagues in front of others, mocking, mimicking or belittling a person.

9. A person may be harassed even if they were not the intended 'target'. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

**Sexual harassment**

10. Sexual harassment is unwanted conduct of a sexual nature. It has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

11. Something can still be considered sexual harassment even if the alleged harasser didn't mean for it to be. It also doesn't have to be intentionally directed at a specific person.

12. Sexual harassment can be a one-off incident or an ongoing course of behaviour. Depending on the circumstances involved, some forms of sexual harassment may be a criminal offence.

13. Sexual harassment can happen in any number of ways, including:

- a. Written or verbal comments of a sexual nature, such as remarks about a volunteer's appearance, questions about their sex life or offensive jokes.
- b. Displaying pornographic or explicit images.
- c. Electronic communication with content of a sexual nature.
- d. Unwanted physical contact and touching.
- e. Unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless).
- f. sexual touching or assault

#### **Racial harassment**

14. Racial harassment may include jokes or gratuitous references to a person's skin colour, race, religion and nationality. It may also include offensive remarks about dress, culture, customs which have an undermining effect on an individual. In extreme cases there may be hatred or prejudice towards individuals from particular groups.

#### **Harassment of disabled individuals**

15. Harassment of disabled individuals can take the form of ignoring disabled people and excluding them from activities based on the assumption that they are unable to participate. The impairment rather than their ability becomes the focus of attention.

#### **Sexual orientation harassment**

16. Any such unwanted behaviour is unacceptable if it can reasonably be considered as having the purpose or effect of violating the recipient's dignity and/or creating an intimidating, hostile, degrading, humiliating or offensive environment. Harassment generally consists of a number of incidents, although a single incident may amount to harassment, if sufficiently serious.

17. Bullying and harassment includes all communication whether it's verbal, non-verbal or in writing, including over social media and all electronic communication.

### Preventative approach

**18.** We will take a preventative approach which will foster and maintain a culture of respect and dignity as well as proactively addressing instances of bullying or harassment. We will do this by making sure:

- a. Senior volunteers and line managers role-model acceptable behaviour.
- b. That volunteers are aware of this policy and how it affects them.
- c. Expectations regarding acceptable behaviour will be reflected across our policies and procedures including safer recruitment, line management and reviews.
- d. Appropriate training is given to line managers and supporters.
- e. Scouts remains alert to unacceptable behaviour, taking appropriate action to address it early on.
- f. There is vigilance of factors that may be indicators or early warning signs such as low morale or a change in behaviour of our volunteers.
- g. Prompt and appropriate response are given to all complaints of harassment or bullying.
- h. All complainants are protected from victimisation as a result of making the complaint.
- i. Complaints are handled sensitively and confidentially.
- j. Complaints made in good faith will not in themselves be seen as bullying or harassment.
- k. This policy and its effectiveness will be kept under review by the Safeguarding Committee.
- l. That anyone making a protected disclosure under the [Whistleblowing policy](#) is not bullied or harassed as a result of that disclosure.

### FVH Trustees expect

**19.** FVH Trustees expect all volunteers to treat each other with dignity and respect, and to support our stance on bullying and harassment by:

- a. Discouraging it.

- b. Reporting it (whether it is on your own behalf or where you think someone else is being bullied or harassed).
- c. Supporting those who make a complaint in good faith.
- d. Creating a culture which encourages courteous challenge.

20. Should bullying or harassment occur in a group situation, the most senior person present has the responsibility to recognise and stop the behaviour. The perpetrator needs to be made aware that such behaviour is unacceptable and that failure to comply with this policy may result in various outcomes.

21. Crimes against a person or property must be reported immediately to the police.

### **Raising a concern**

22. FVH Trustees acknowledge that it can be a difficult decision to report a concern of bullying and/or harassment about someone known to you. A volunteer may also feel unsure about whether the behaviour they are experiencing or witnessing amounts to bullying or harassment.

23. However, it's important that action is taken promptly in order to prevent the situation deteriorating. All concerns raised should be done in-line with the FVH Complaints Policy (See Annex H).

### **Responsibilities**

24. FVH Trustees understand the duty to develop and support the Charity so that the Volunteer anti-bullying and harassment policy is embedded and effective across all levels of the Charity.

#### **a. Line Managers have responsibility for:**

- (1) Adhering to this policy which applies to any volunteer.
- (2) Taking all reasonable steps necessary to prevent bullying and harassment taking place.
- (3) Ensuring implementation and compliance of the policy.
- (4) Ensuring that volunteers have the required knowledge and skills to implement the policy and provide updates or training where appropriate.
- (5) Leading by example through role modelling a fair and transparent management style.
- (6) Supporting individuals who are either being bullied and harassed or supporting alleged perpetrators.
- (7) Reporting any concerns concerning adherence to this policy in a timely manner.
- (8) Taking concerns raised seriously and escalating where appropriate.
- (9) Consulting with the Safeguarding Coordinator where appropriate.

**b. Volunteers have responsibility for:**

- (1) Behaving with dignity and respect towards each other.
- (2) Consistently demonstrating behaviour that is professional, conducive to teamworking and respectful of others.
- (3) Ensuring any training required is attended and kept up to date.
- (4) Reporting any concerns regarding themselves or others in a timely manner.
- (5) Supporting any enquiry when a concern has been raised.

## Relevant legislation

25. The [Equality Act 2010](#) gives protection from discrimination. This is for anyone who is treated unfairly because of one or more of nine protected characteristics or because someone believes you belong to a group of people with protected characteristics. The Act also protects you if someone in your life (such as family or friends) have a protected characteristic and you are treated unfairly because of that.

**26. The nine characteristics protected by the Act are:**

- a. Age.
- b. Disability.
- c. gender reassignment.
- d. marriage or civil partnership (in employment only).
- e. pregnancy and maternity.
- f. Race.
- g. religion or belief.
- h. Sex.
- i. sexual orientation.

## Bullying, harassment and the law

27. Certain types of bullying or harassment, if linked to the protected characteristics of [Equality Act 2010](#), will be unlawful and can lead to civil proceedings being taken against the person responsible. In some cases, the behaviour may constitute a crime such as racial hatred or sexual assault and therefore could lead to a report to the police being made and a criminal prosecution.

28. Complaints that involve a protected characteristic, reach the criminal threshold or are serious in their nature should be discussed with the Safeguarding Team.

## Review

**29.** This policy is due for review:

- a. every 12 months, or;
- b. following any legislative changes, or;
- c. following any learning by the Scouts, or;
- d. as required by the Charity Commission, or;
- e. any change in jurisdictional guidance, whichever comes first.

**30.** The policy will be reviewed alongside any policy that is referenced within this policy by FVH Management Committee on a regular basis.