

Harassment and Bullying Policy

1. What's does this policy cover?

North East London Gymnastics Club Ltd's policy covers our commitment to ensuring a working environment free from harassment, bullying and intimidation.

We define the following behaviour as harassment, bullying and/or intimidation:

- a. Harassing or bullying anyone else (see our definitions of these below)
- b. Threatening anyone or otherwise retaliating against anyone who raises a harassment or bullying complaint
- c. Making malicious or bad faith allegations of bullying, harassment or intimidation
- d. Giving false or intentionally misleading information during any investigation.

There may well be other examples of this behaviour. This is not an exhaustive list. Our policy applies:

- Anywhere on our business premises
- Anywhere away from our business premises during work-related social events, business events or trips

Instigating, taking part in, condoning, supporting (actively or passively), and/or deliberately or unwittingly failing to prevent, any of the above listed activities (or their equivalents) will lead to action under our Disciplinary Policy and may lead

to your dismissal for misconduct, or gross misconduct.

The impact on the victim is very important. People's behaviour can amount to bullying or harassment even if they had no idea it would be perceived that way.

North East London Gymnastics Club Ltd has a legal duty to protect all employees, workers and job applicants. That means that if you change your mind after making a complaint (even if that complaint was made informally, or in confidence), we may choose to investigate anyway. We will, however, not do so without talking to you first.

You should familiarise yourself with this policy and also with our Equal Opportunities, Disciplinary and Grievance Policies.

2. Who does it apply to?

All employees, apprentices, consultants, officers, contractors, interns, volunteers, job applicants, agency and casual workers.

3. It is not part of your employment contract

This policy is not part of your employment contract. We, North East London Gymnastics Club Ltd, may amend this policy at any time.

4. Bullying

Bullying can be proven whether or not the victim has one or more protected characteristics.

(Protected characteristics are discussed more fully in our Equal Opportunities Policy. They are categorised by law and they are:

- Age
- Disability
- Gender reassignment
- Marital or civil partnership status
- Pregnancy or maternity
- Race (which includes colour and ethnic/national origin)
- Religion or belief
- Sex
- Sexual orientation.)

Under our policy, and according to UK employment law, physical, verbal and non-verbal conduct can all amount to bullying.

Indeed, bullying may be any behaviour that makes the person on the receiving end of this treatment feel threatened, intimidated, humiliated, vulnerable or otherwise upset.

Bullying can take various forms, from extreme behaviour involving violence and intimidation, through to subtle actions such as deliberate exclusion, i.e. blatantly not talking to someone, whether or not the person responsible also seeks to encourage others to follow suit and also ignore the victim.

However, it is not bullying where a manager or colleagues provides you, in good faith, with

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constructive criticism about your behaviour or performance. This feedback is part of normal employment and management good practice, and provided it is professionally and reasonably delivered, it should not be interpreted as anything different.

5. Harassment

Under our policy, harassment means hostile, humiliating, degrading, intimidating or similarly offensive treatment or conditions to which an individual with one or more protected characteristics is subjected.

Any such actions deprive an individual of their dignity and violate them. We draw no distinction between actions that may be labelled as 'joking' and not intended to cause offence, and those that may have been more directly and premeditated in their delivery.

So, for example, in line with legal definitions, reflecting general standards of decency, we will regard any of the following as falling within the definition of harassment:

a. making lewd comments and/or displaying pornographic material

b. calling someone unkind, derogatory or otherwise unwelcome names or nicknames

c. making insensitive jokes, whether about someone directly, or the content of which would be

evidently offensive to anyone with a protected characteristic

d. excluding colleagues and/or making them feel that they have no option but to exclude themselves

Physical, verbal and non-verbal conduct can all amount to harassment. So, can things you say or do online, especially on social media.

Our policy covers all incidents of offensive behaviour, whether isolated or ongoing

When someone treats another person less favourably because they either submit to such behaviour or refuse to do so, we also see that as harassment.

6. Victimisation

Closely associated with harassment is 'victimisation', and our policy also covers this.

Victimisation has a particular meaning under UK employment law and it is narrower than a classic dictionary definition, covering the situation only where:

- a worker has complained of discrimination (or harassment),

- or has supported a fellow worker in making a complaint about these concerns,

and has then suffered reprisals from others, including those responsible for that worker's employment prospects and working conditions.

Any individual working with or for us, who subjects another to victimisation, will breach our policy and face the same level of disciplinary action by us, as if they had been found liable for bullying or harassing someone else.

7. Our approach to handling bullying and harassment

We encourage all staff initially to try to resolve concerns like these informally and on the spot, when they very first occur, where they feel able to do so.

We recognise that often inappropriate behaviour by a fellow worker is not in fact intended to constitute harassment or bullying. We also recognise that while that lack of intention does not excuse the fact that discomfort, hurt and/or harm has been suffered by the victim, (and we will in any event handle these incidents under our disciplinary policy if they are reported to us), an upfront and informal challenge to the inappropriate conduct frequently results in a swift and conclusive resolution without further incidents, or, indeed the need to escalate matters to a more formal process.

So, if someone is harassing or bullying you, consider whether you can speak to them at the time, or, very soon after the incident occurs, to explain that their behaviour is unwelcome, inappropriate, or that it has upset you. They might not realise that their behaviour is having that effect on you (e.g. they might have thought of it as 'banter' and have had no idea that it was upsetting or inappropriate).

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We recognise however that it may be difficult, and in some cases, inappropriate (especially where physical threats have been made) to speak with the person(s) responsible directly. Where this is the case, you should speak to Tracy Hill or Sarah Brakes informally and in confidence. We will treat your complaint in confidence, as far as is possible.

If you cannot resolve the matter to your satisfaction, you should then follow our Grievance Policy.

It is possible that during any investigation by us of the allegations you have made, we will require you to be kept apart from the person you have accused. We might even request that you work at a different location during this time. If that is the case, you should not interpret our actions as a prejudgment of your complaint. It is simply us trying to stop things getting worse during the investigation.

If we conclude that:

- you have been the victim of harassment or bullying, we will take steps to stop this situation continuing or recurring and we will take the action that we consider appropriate against the perpetrator under our Disciplinary and other policies
- your complaint cannot be substantiated, we will provide you with a clear explanation of why. Either way, we will look at ways of redressing your relationship with the person about whom you have complained. We may, for

example, change your work pattern or theirs, or we may suggest counselling or mediation.

8. Confidentiality

Handling harassment and bullying allegations can raise strong feelings, which is why we and you, if you are accusing someone of this behaviour, have an obligation to maintain confidentiality as far as possible.

This obligation is relevant to every stage of our investigation and its outcome. If you

a. make a harassment or bullying complaint and fail to maintain proper confidentiality at any time during the process, or

b. are interviewed in connection with someone else's complaint and likewise fail to maintain confidentiality,

then, in either case, your indiscretion will be handled under our disciplinary procedure and if upheld, it could lead to a

finding of misconduct or even gross misconduct against you.

9. Enforcing our policy and handling breaches of it

All allegations and/or suspected breaches will be taken very seriously by us therefore be thoroughly investigated.

We expect all employees to cooperate with us in monitoring and enforcing this policy. If you observe

behaviour within our business that you believe is in breach of this policy, please challenge that behaviour, if you feel able to do so, and immediately report it to Tracy Hill or Lara Overall.

Anyone raising a genuine concern, in good faith, about matters covered by this policy, will have our full support and co-operation in getting to the bottom of what has happened and in taking any appropriate action that follows on from that investigation. This will be the case regardless of our conclusions and even if where we determine that the allegation was mistakenly made. There will never be any reprisals against those who genuinely have, or consider that they have, valid grounds for reporting concerns and drawing them to our attention. If you believe that you are being unfairly treated as the result of raising a concern under this policy, you must contact Tracy Hill or Sarah Brakes as soon as possible.

However, complaints made in bad faith, for whatever reason (including where this is an attempt to avoid or to deflect disciplinary action), will be treated as misconduct and may lead to disciplinary action against you..

We will take prompt disciplinary action against you if we discover that you have harassed or discriminated against anyone else in breach of this policy. If we conclude that your behaviour was deliberate and amounted to gross misconduct, then this could lead to you being summarily dismissed.