

Fabian Society bullying and harassment policy (non-employees)

A. Introduction

This policy is designed to give effect to Fabian Society bye-law 2, clause iii which states that:

People participating in society activities shall be treated with dignity and respect at all times, free from harassment or discrimination. Procedures for fairly addressing any concerns or complaints raised by people participating in society activities shall be laid down by the executive committee.

A separate policy exists for Fabian Society employees who believe they are facing bullying or harassment.

B. What is bullying and harassment?

This explanation of bullying and harassment is adapted from ACAS workplace guidance

There are many definitions of bullying and harassment. For practical purposes those making a complaint usually define what they mean by bullying or harassment – something has happened to them that is unwelcome, unwarranted and causes a detrimental effect. If individuals complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition.

Bullying may be characterised as: offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Harassment as defined in the Equality Act 2010 is: unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Most people will agree on extreme cases of bullying and harassment but it is sometimes the 'grey' areas that cause most problems. In the context of employees, ACAS suggests that examples of unacceptable behaviour might include:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected
- making threats or comments about job security without foundation

- deliberately undermining a competent worker by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

Bullying and harassment is not necessarily face to face, it may occur through written communications, visual images (for example pictures of a sexual nature or embarrassing photographs of colleagues), email, phone, and automatic supervision methods – such as computer recording of downtime from work, or recording of telephone conversations – if these are not universally applied to all individuals. Bullying and harassment can often be hard to recognise – symptoms may not be obvious to others, and may be insidious. Those on the receiving end may think ‘perhaps this is normal behaviour in this organisation’. They may be anxious that others will consider them weak, or not up to the job, if they find the actions of others intimidating. They may be accused of ‘overreacting’, and worry that they won’t be believed if they do report incidents. People being bullied or harassed may sometimes appear to overreact to something that seems relatively trivial but which may be the ‘last straw’ following a series of incidents. There is often fear of retribution if they do make a complaint. Colleagues may be reluctant to come forward as witnesses, as they too may fear the consequences for themselves. They may be so relieved not to be the subject of the bully themselves that they collude with the bully as a way of avoiding attention.

C. Fabian Society procedure

Where an individual or group believes that they have been bullied or harassed while participating in the society’s activities there are a number of options available to them dependent on the circumstances of their own situation. Those who have witnessed an individual or group being bullied or harassed, or feel that an individual may be subject to bullying or harassment, may also follow the procedures below.

1. Seek confidential advice

A confidential conversation with an elected officer¹ or employee of the society may help with deciding on any further action which can be taken. The most suitable person to approach is likely to be the General Secretary, unless he or she is seen to be participating in the bullying or harassment. Talking to someone else may help to identify whether to follow the informal or formal process, or to take no further action. A confidential conversation may provide individuals with the information necessary to decide on the way forward. Individuals do not have to seek advice as part of the procedure but may find it helpful to talk about their situation in the first instance. The society’s elected officers and employees are requested to support all employees through their concerns in a professional manner, referring to the chair of the society for any guidance required.

2. Informal Process

In certain circumstances problems may be resolved easily through discussing the situation with the person who is seen to be bullying or harassing an individual or group, providing this is

¹ An elected officer is an office-holder (eg chair, vice-chair, secretary) of the Fabian Society executive, or of the executive of one of the constituted sections of the society

acceptable to the individual or group making the complaint. An informal process will involve one of the following:

1. The individual or group approaches the individual that they believe has bullied or harassed them in order to inform them that their behaviour is found to be offensive, the reasons why it has been offensive and to ask them to stop using such behaviours;
2. A similar written request, explaining the distress caused and desired remedy;
3. An elected officer or employee of the society speaking to the person concerned, on behalf of the individual or group.

Although this should be an informal process, an elected officer or employee of the society should be informed at this stage, even if the individual is happy to raise the issue for themselves. An elected officer or employee should be available to attend any meetings to observe or offer informal mediation.

In all cases, the individual or group should keep a record of any informal action taken, along with a note of the date and what those involved said. Where any representative of the society is involved, that person shall arrange for a note to be taken and circulated. This is necessary should evidence be required at a later date where the bullying or harassment continues or subsequently recurs.

Where an informal approach is unsuccessful; or where the society decides that the charges are sufficiently serious to require a formal process from the outset; or where the individual has chosen to go straight to the formal stage of the procedure, the following arrangements will apply.

3. Formal Process

A formal complaint should be made in writing, marked Private and Confidential, to the General Secretary in the first instance. This complaint should state clearly that it is a formal complaint and detail the basis upon which the alleged bullying or harassment has taken place, and where possible, include dates of occurrences. Once this complaint has been registered, it will be dealt with confidentially, and as quickly as possible (with an aim of the whole process taking no more than 4 to 6 weeks). Both parties should respect the confidentiality of the process throughout.

All complaints will be investigated fairly and in full by an appropriate person appointed by the executive committee who is not directly involved in the matter being investigated. In very serious cases the executive may decide to suspend the membership of the individual who the allegation is made against. Where there is any evidence of criminal activity the police shall be informed at once.

All parties involved in the complaint will be informed, including the individual who the allegation is against, who will be provided with the opportunity to provide their own written and/or verbal statement. In any meeting the alleged individual may ask another member or friend to be present for moral support. Reasonable time will be provided for preparation (for example 1 week).

Once the investigation is completed (and unless it is clear that the complaint is unsubstantiated or malicious), a panel consisting of three members of the executive committee will be appointed to review the evidence, reach conclusions and agree any disciplinary action. After receiving the report parties will be entitled to make written statements to the panel. Where the panel is

required to reach conclusions regarding contested facts, it must satisfy itself on a 'balance of probabilities'. A written report will be completed, and held confidentially, and provided to both parties involved.

If the complaint is not upheld a written record exonerating the alleged harasser will be issued to all parties involved in the complaint procedure. Any complaint found to be malicious or untrue may result in further action against the instigator and will be held on record for future reference. No action will be taken against individuals who have made an unsuccessful complaint in good faith.

Either party may appeal the decision to the society's Executive Committee, which may in turn decide to appoint an appeal panel, consisting of three different members, to hear the appeal on its behalf. Both parties will have the right to make a verbal statement to the panel and may be accompanied by another member or friend to be present for moral support. This decision of the appeal hearing will be final.

D. Examples of disciplinary action that could be taken if a complaint is upheld

If the complaint is upheld, the society shall impose disciplinary sanctions that are appropriate and proportionate to the case. Examples of potential action include:

- A verbal or written warning
- Exclusion from standing from an elected position – or from continuing to hold an existing position
- Exclusion from specified activities of the society
- Suspension of membership for a limited period
- Expulsion from the society in the most serious cases (including but not restricted to cases which also lead to police action)