



BULLYING AND HARASSMENT POLICY

Updated Sep 20

BULLYING AND HARASSMENT POLICY

1. INTRODUCTION

- 1.1. Newquay Foodbank is committed to ensuring the Foodbank remains a place free from all forms of bullying and harassment and will take all measures necessary to prevent its existence within the Charity.
- 1.2. All Volunteers and Clients are to be treated with the utmost respect as laid out in our Equality and Diversity Policy.
- 1.3. The Foodbank will take appropriate action, in line with the Complaints Policy, to any incidents of such behaviour, this may also include anyone who makes what are found to be malicious claims.
- 1.4. It should also be remembered that bullying and harassment can in some circumstances be considered to be a criminal offence, and that anyone found guilty of such could be held personally accountable for their actions under criminal law.
- 1.5. Everyone should ensure that they take the time to read and understand this policy and act in accordance with its aims and objectives. If you need support reading or understanding this policy please speak to a Committee Member.

2. DEFINITIONS

- 2.1. **Bullying** - is any offensive, intimidating, malicious or insulting behaviour. It can involve the misuse of power, strength or position and can make the person being bullied feel vulnerable, upset, humiliated, undermined or threatened.
- 2.2. **Harassment** – is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person being harassed. It may be persistent or a single incident.

3. EQUALITY ACT 2010 ON HARASSMENT

- 3.1. The Equality Act 2010 lays out what is included under Harassment:
 - 3.1.1. Conduct which is intended to be friendly but is deemed by the recipient to be offensive.
 - 3.1.2. Unwanted attention of any kind - The recipient of the behaviour decides whether or not it is unwanted;
 - 3.1.3. Unwanted conduct does not need to be directed at a person. It can be witnessed or overheard;
 - 3.1.4. It does not matter whether the conduct is acceptable to others or is common to that persons environment;
 - 3.1.5. A single act of harassment which is sufficiently serious can lead to a complaint;
 - 3.1.6. Harassment should always be considered in terms of the impact it has on an individual.

4. BULLYING

4.1. Again, it is the impact of any conduct rather than the intent which is the key. As a guide, such conduct includes:

- 4.1.1.** Spreading malicious rumours;
- 4.1.2.** Ridiculing or demeaning someone - picking on them or setting them up to fail;
- 4.1.3.** Overbearing supervision or other misuse of power or position;
- 4.1.4.** Deliberately undermining a competent Volunteer by overloading and constant criticism;
- 4.1.5.** Belittling efforts and undervaluing contribution;
- 4.1.6.** Open aggression, threats, shouting, abuse and obscenities, persistent negative attacks or persistent unwarranted criticism;
- 4.1.7.** Ostracising, isolating and marginalising an individual, excluding the person from any discussion or decision making;
- 4.1.8.** Cyberbullying - using information and communications technology (particularly mobile phones, the internet and social media) to upset and humiliate someone.

5. VICTIMISATION:

5.1. Less favourable treatment of an individual because they have:

- 5.1.1.** Made a complaint or intend to make a complaint about being bullied or harassed;
- 5.1.2.** Intend to act as a witness or give evidence in support of another person's complaint about being bullied or harassed.

6. EVIDENCE

6.1. When evidence is considered in bullying and harassment cases:

- 6.1.1.** Absolute proof is not necessary under employment law.
- 6.1.2.** The outcome will be determined on the balance of probabilities that an incident is more likely to have occurred than not.
- 6.1.3.** This is unlike criminal proceedings, in which the standard of proof is beyond reasonable doubt.
- 6.1.4.** Harassment, bullying and victimisation are unacceptable and will not be tolerated.

7. MALICIOUS COMPLAINT

7.1. If a Volunteer or Client is deemed to have made a malicious complaint which doesn't have grounds, substance or evidence and was made to deliberately cause upset and distress, Newquay Foodbank may take action in line with our Complaints Procedure.

8. WITNESSES

8.1. The evidence in a Bullying, harassment or victimisation case may often rely upon the verbal account given by other Volunteers or Clients, summarised in the form of witness statements.

8.2. To ensure that any resulting disciplinary process is fair, it is crucial to disclose to the respondent as much material as possible in advance.

8.3. This should include copies of any documents, witness statements or any other evidence which has been gathered in the investigation.

8.4. If there is a need to protect the identity of a witness, consideration should be given to anonymise their statement. Recognising this does not preclude a witness being identified, we will support witnesses throughout the

9. RESPONSIBILITIES

9.1. The Newquay Foodbank Trustees will:

9.1.1. Fulfil their legal and moral responsibility to deal effectively with harassment and bullying within the Foodbank using this policy and other associated documents.

9.1.2. Ensure all actions are taken where required and follow best practice guidelines for investigators and the complaints procedure;

9.1.3. Ensure that all Volunteers are aware of this bullying and harassment policy and procedures and understand their rights and responsibilities under the policy; fully understanding where to get information and support with any concerns;

9.1.4. Monitor and review the effectiveness of this policy and procedures in line with best practice.

9.2. The Foodbank Committee will:

9.2.1. Read and understand this policy and its arrangements; and ensure these are communicated to all Volunteers within their area of responsibility;

9.2.2. Set examples and standards of positive behaviour in line with this policy.

9.2.3. Be aware of working relationships within their teams and respond promptly to any issues or concerns raised at an early stage to avoid unnecessary escalation of these into bigger problems;

9.2.4. Take early action to deal with behaviour that may be construed as harassment or bullying under this policy - even if a complaint hasn't been made;

- 9.2.5. Be supportive of all Volunteers or Clients who come to them with concerns about unacceptable behaviour.

9.3. Newquay Foodbank Volunteers will:

- 9.3.1. Read and understand this policy and its arrangements so that they know what is expected of them, and what to do if they are affected by, or witness, harassment and bullying within the Foodbank.
- 9.3.2. Set examples and standards of positive behaviour in line with this policy;
- 9.3.3. Support the Foodbank in its efforts to eradicate bullying and harassment by challenging inappropriate behaviour they may experience or witness and by seeking, or encouraging others to get support and assistance where needed.

10. HANDLING COMPLAINTS

- 10.1. Complaints raised under the Bullying and Harassment Policy will be handled in accordance with our Complaints Policy.

11. REVIEW

- 11.1. This policy and its implementation will be reviewed at least annually or where significant financial changes occur.

LAST REVIEWED: Sep 20 SAFEGUARDING OFFICER: Claire Rooks