

Bullying & Harassment Policy

Purpose

The purpose of this document is to outline the position of Whistlewood Common Limited (WCL) on bullying and harassment and to document the process should any bullying or harassment arise. The policy relates to any person/s representing WCL at an offsite event or any person/s participating in a WCL organised activity, event, volunteering or providing a contracted service. Third party person/s including non WCL site hirers, event or activity organisers are made aware of their obligations in relation to this policy & procedure.

Definitions

Bullying is repeated behaviour intended to abuse, dominate, or intimidate others, typically involving a power imbalance.

The key characteristics are:

- Repetition: Bullying behaviours occur more than once or have the potential to be repeated.
- Power Imbalance: The bully typically has more power, whether physical, social, or emotional, over the victim.
- Intentionality: The actions are deliberate and meant to cause harm or distress.
- Bullying is distinct from normal conflict, as it is systematic and aimed at harming the victim.

Harassment covers a wide range of behaviours of an offensive nature. It is commonly understood as behaviour that demeans, humiliates, and intimidates a person. In the legal sense, these are behaviours that are disturbing, upsetting, or threatening to a person. Some harassment evolves from discriminatory grounds and has the effect of nullifying a person's rights or impairing a person from utilising their rights.

When harassing behaviours become repetitive, it is defined as bullying. The continuity or repetitiveness and the aspect of distressing, alarming or threatening may distinguish it from insult. Harassment is a specific form of discrimination and

occurs when a person is the victim of unwanted intimidating, offensive, or humiliating behaviour.

Harassment means any unwelcome advances, unwelcome request for sexual favours, or other unwelcome conduct which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Examples of harassment include, but are not limited to:

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive or offensive comments or jokes
- insults or taunts
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of an offensive nature
- inappropriate comments on social media
- behaviour that may also be considered an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications

Behaviour that is based on mutual attraction, friendship and respect is not harassment.

Policy

WCL will not accept harassment or bullying under any circumstances.

Responsibility lies with everyone participating or involved in the WCL community. This includes volunteers, members, contractors, third party people or members of the public attending an activity or visiting the site to ensure that harassment does not occur.

UK legislation provides that harassment and bullying can be unlawful and establishes expected standards of behaviour.

A breach of this policy will result in possible sanctions, which may include termination of membership, volunteering or a service contract. WCL encourages anyone who feels they have been harassed or bullied to take immediate action.

If the person feels uncomfortable, it is preferable to raise the issue with the person harassing or bullying directly with a view to resolving the issue by discussion.

The person should identify harassing or bullying behaviour, explain that the behaviour is unwelcome and/or offensive and ask that the behaviour stops.

Alternatively, they may report on the behaviour in accordance with our Complaints Policy and Procedure. This is available at: www.whistlewoodcommon.org

Once a report is made, WCL has the right to determine how the report should be dealt with in accordance with its obligations and this policy.

Any reports of harassment or bullying will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person (the harasser/bully) must be notified.

Both the complainant/s and alleged harasser/bully have the right to state their viewpoint and respond.

No person will be treated unfairly because of rejecting unwanted behaviour or comments. Relevant action may be taken against anyone who victimises or retaliates against a person who has complained of harassment/bullying or against anyone who has been alleged to be a harasser/bully.

Everyone who is part of the WCL community has the right to seek the assistance of the relevant tribunal or legislative body to assist them in the resolution of any concerns.

Responsibilities

It is the responsibility of WCL community (members, volunteers, event/activity leads, contractors and site hires) to ensure that:

- They understand and are committed to the rights and entitlements of all people who attend WCL events, volunteer etc to attend, without fear of being harassed or bullied in any form
- They understand what constitutes an act of harassment and bullying
- All reasonable steps are taken to eliminate harassment and bullying
- All volunteers are regularly made aware of their obligations in relation to providing an environment free from harassment and bullying.
- They provide an environment which discourages harassment and bullying and set an example by their own behaviour
- WCL always treats complaints seriously and confidentially and will take immediate and appropriate action if they become aware of any offensive action.

It is also the responsibility of all the WCL community to ensure that:

- Policies and procedures are regularly reviewed and updated where necessary.
- Policies and procedures are complied with
- Regular guidance and education is provided to volunteers regarding harassment and bullying.
- Ongoing support and guidance is provided to all WCL people in relation to the prevention of harassment and bullying.

Procedures

Complaint Process

Harassment and bullying can occur and be experienced by everyone. Any member of the WCL community who believe they are or have been subject to harassment or bullying should take prompt action.

Where possible, the person should make the perceived harasser(s) or bully/bullies aware that they find their behaviour offensive, unwelcome, unacceptable, and that it needs to stop immediately.

If the behaviour continues, or if the person feels unable to speak to the person(s) directly, they should contact a WCL Director. They will provide support and ascertain the nature of the complaint and the wishes of the complainant.

Informal Intervention

WCL has a **Complaints Policy & Procedure** which is available online at:

www.whistlewoodcommon.org.uk

Formal Complaints Procedure

WCL may be obliged to carry out an investigation in relation to a complaint of harassment. The formal procedure will be coordinated by a nominated Director, who will be guided by the **WCL Complaints Policy and Procedure**.

The findings as to whether harassment has occurred will be determined based upon the evidence, and on the balance of probabilities.

Possible outcomes of the investigation may include the following:

- Written warnings
- Sanctions or suspension of membership, contracts or volunteering opportunities.

- Formal apologies and undertaking that the behaviour will cease
- Conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution

Following an investigation concerning a complaint of harassment or bullying (irrespective of the findings), WCL will:

- Consult with the parties involved to monitor the situation and their wellbeing.
- Remind all WCL volunteers of their obligations and responsibilities in relation to providing an environment free from harassment and bullying of any nature.
- Communicate WCL's Bully & Harassment Policy to third party providers.

Outcomes will depend upon factors such as:

- The severity and frequency of harassment or bullying
- The weight of the evidence
- The wishes of the person who was harassed or bullied
- Whether the harasser or bully could have been expected to know that such behaviour was a breach of policy
- The level of contrition
- Whether there have been any prior incidents or warnings.

Procedures for Dealing with Criminal Conduct

Some forms of harassment (e.g. sexual assault, stalking, indecent exposure, physical molestation, obscene phone calls) may constitute criminal conduct. While WCL is committed to treating most harassment or bullying complaints at a local level, this type of conduct is not suited to internal resolution. Such complaints should be reported directly to the Police.

In relation to alleged criminal offences such as rape or sexual assault, the matter must be immediately referred to the Police without delay. WCL Directors should be advised.

Approved: WW Board GT,AC,PJ,RD,FG,CG

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