

BULLYING AND HARASSMENT POLICY OF GIBSIDE COMMUNITY FARM

Definitions

GCF means Gibside Community Farm Community Interest Company (08787415)

Bullying There is no legal definition but it can be described as unwanted behaviour that is

- offensive, intimidating or insulting,
- intended to undermine, humiliate, denigrate, or injure the recipient,
- an abuse or misuse of power.

It may be face to face, through written communications, over the telephone or through social media. It may take place in private or a public place.

It is important to note that legitimate, constructive and fair criticism, comment or question is not bullying. An occasional raised voice or argument is not bullying.

Harassment Again, there is no legal definition but, in general, it can be unwarranted conduct affecting the dignity of any person where actions, behaviour or comments are viewed as demeaning or unacceptable to the recipient.

It may be related to age, gender, sexual orientation, race, colour, ethnic or national origin, religious or philosophical belief, creed, marital status, parental status or impairment. It may be persistent or isolated.

For further guidance see www.gov.uk/workplace-bullying-and-harassment

Introduction

GCF is committed to an environment which is free from bullying and harassment. We want to ensure that all members of GCF and all people who have contact with us are treated with dignity and respect.

It is the responsibility of all members of GCF to make sure that the objectives of this policy are achieved.

The Policy

GCF will not tolerate bullying or harassment in our workplace, in any meetings whether virtual or in person, through social media such as Whatsapp, through email or other written communication or at GCF related events. This includes such conduct which is a single act or a repeated course of conduct whether done intentionally or not.

GCF will not tolerate retaliation or other action against any person who brings a complaint of bullying or harassment or is involved in the investigation of a claim.

It is important to note that bullying and harassment may constitute a crime punishable by a fine and/or imprisonment.

GCF will take appropriate action if any member or volunteer of GCF is subject to bullying or harassment from a third party.

Allegations of bullying and harassment will be treated seriously. All investigations will be carried out promptly, sensitively and where possible confidentially. If after commencing or carrying out an investigation GCF believes there has been bullying or harassment or both then it will invoke the disciplinary process.

If someone makes an allegation of such conduct in good faith but the complaint is not upheld no action will be taken against the person bringing the complaint. An allegation which is found to be made in bad faith will be addressed in accordance with the disciplinary process

Reporting Concerns

What to do if you are a witness to such behaviour

If you witness such behaviour then you should report it in confidence to a director. Such reports will be taken seriously and investigated by the directors of GCF in accordance with this policy.

What to do if you are a victim of bullying or harassment from a third party

If this happens then you can raise it with a director. In consultation with you they will decide how to deal with the matter and how to prevent it happening again.

What to do if you are a victim of bullying and harassment by someone from GCF

If this happens, please raise with a director.

If the complaint involves a director then you can raise it with any other director. If the complaint involves all of the directors then the members agree to appoint one or more members to deal with the complaint.

The Informal Approach

You may wish to deal with the situation yourself by reporting it but making it clear you want to deal with it directly with the other person. Alternatively, you might request a director to deal with it on your behalf. If so then you must cooperate with the directors so they can investigate the matter and then if they agree it is appropriate, the directors will try and discuss it with the other person. In this way the directors will try and resolve the matter informally on your behalf.

If the matter is resolved informally in this way then the other person will not be subject to the disciplinary process. However, if the directors acting reasonably determine that there is a serious breach of the disciplinary policy or that the conduct has happened in the past albeit

with someone else, then the directors have the right to adopt the formal approach and instigate the disciplinary process.

The Formal Approach

If the Informal Approach is unsuccessful or inappropriate then you can raise a formal complaint of bullying or harassment with any of the directors. A formal complaint may lead to a disciplinary action against the other person.

GCF will investigate the complaint and you agree to cooperate with the investigation and as a minimum will provide the following details :

- the name of the other person
- the nature of the complaint
- the identity of any witnesses
- dates and times of the alleged complaint
- any action taken by you
- anything which is relevant to the complaint.

The directors will meet with you to determine the nature of the complaint and you are entitled to bring a third party with you at this point or at any other point in the proceedings. Please note that the other person will need to be notified of the alleged complaint. In view of the nature of the matter the directors reserve the right to ask you and the other person not to work together, attend meetings together or otherwise communicate with each other. You are asked to respect such decisions.

After investigating the matter and in any event within 10 working days of meeting with you, the directors will notify you of their decision as to whether the disciplinary process will be invoked. You have the right to appeal that decision within 10 working days of receipt by sending us written notice either by email or letter to the directors that you wish to do so and the basis for such an appeal. The directors will then try to deal with the appeal as soon as is reasonably practicable by setting up an appeal panel comprising two members who are not involved in the complaint plus one director. That panel will examine the investigation again and reserve the right to meet you and the other person following which it will issue its decision. The directors will try and complete the appeal process as quickly as is reasonably possible but in any event within 8 weeks of receipt of the appeal.

If you are accused of bullying or harassment

If such conduct is alleged against you then at every stage of the process you are entitled to ask another member attend any meetings with you.

Personal Data

GCF will treat any personal data collected through the processes described in this policy in accordance with the GCF Data Protection Policy.

Disciplinary Process

Bullying and Harassment constitute serious misconduct. If at any stage GCF determines that a disciplinary offence has occurred then it will invoke the Disciplinary Policy.

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