

# **Faith Movement CIO**

## **Anti-bullying and Harassment Policy**

### **1. Introduction**

The Faith Movement Charitable Incorporated Organisation (hereinafter referred to as “the Faith Movement”) is a charity registered in England, number 1188137.

### **2. Purpose and scope**

The Faith Movement has a zero-tolerance approach to bullying and harassment. The aim of the Faith Movement is to provide an environment where everyone is treated with dignity and respect, and can work and receive its services without fear of bullying or harassment. The Faith Movement strives to ensure that those who use its services and those involved in their provision feel confident to bring complaints, or to challenge behaviour, without fear of ridicule or reprisal. This policy includes procedures and processes for individuals to follow if they feel they are being subjected to any form of bullying or harassment, and action to be taken by the Faith Movement in response.

Bullying and harassment can cause lasting damage to those individually affected and to the organisation as a whole. We expect those involved with the provision or use of our services to behave with dignity and respect towards one another. All allegations of bullying or harassment will be viewed as grounds for potential disciplinary action for trustees, and persistent or gross harassment or bullying may lead to dismissal.

This Policy applies to Trustees, members, volunteers and participants at events. It covers behaviours by individuals and the support available in raising a complaint and dealing with the situation.

### **2. Policy statement**

The Faith Movement will address bullying or harassment whether it occurs during the course of official meetings of the Faith Movement, events organised by the Faith

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Movement, social media platforms operated by the Faith Movement, officially organised transport to/from events organised by the Faith Movement. It will address bullying or harassment whether reported directly from the individuals or from a third party.

It is an individual's right to raise a complaint and have it heard without fear of reprisal.

The Policy is available to all Trustees, members, volunteers and participants at Faith Movement events. The Policy will be posted on the Faith Movement's website. Any questions about the Policy should be directed to the Board of Trustees.

### **3. Action to support and inform Trustees, members, volunteers and participants on harassment issues**

The organisation will:

- treat sensitively any complaints of behaviour causing distress;
- respect the need for confidentiality as far as possible in order to ensure a fair investigation;
- make Trustees, members, volunteers and participants aware of this policy and their responsibilities;
- monitor and record reported instances of harassment or bullying, and identify trends so that corrective action can be taken.

### **4. Responsibilities**

Every Trustee, member, volunteer and participant has a duty to:

- take responsibility for their own behaviour and change it if necessary. Failure to take complaints seriously or failure to change behaviour may lead to disciplinary action;
- speak out if they witness or are aware of bullying, vindictiveness, verbal or physical aggression;
- familiarise themselves with the responsibilities placed on them by this policy.

The Safeguarding Officer and Safeguarding Team monitor implementation of the procedures, advise the Board of Trustees on action needed, review the policy and procedures prior to consideration by Trustees, and report to the Trustees.

The Safeguarding Officer is responsible for recording complaints of harassment or bullying raised, for reviewing outcomes and trends, and for keeping a watching brief on anybody who has been a victim of harassment or bullying or who may be vulnerable to it, so that they are not exposed to inappropriate treatment.

The Trustees should ensure that they and members, volunteers and participants understand the policy and deal swiftly with any instances of perceived or reported harassment or bullying in line with the procedures below.

Where appropriate, service providers/contractors working at events organised by the Faith Movement must ensure that they and their staff understand the policy and their responsibilities.

## **5. What is bullying?**

Bullying is persistent offensive, abusive, intimidating, malicious or insulting behaviour, abuse of power, or unfair treatment that is meant to or does undermine, threaten and/or humiliate the recipient. The effect is usually to undermine the recipient, their self-confidence, reputation and ability to perform. Bullying tends to be an accumulation of many small incidents over a period of time. Each incident of bullying tends to be trivial and, on its own and out of context, may not constitute an offence or grounds for disciplinary or grievance action.

## **6. What is harassment?**

Harassment is unwanted conduct that violates an individual's dignity, or that creates an intimidating, hostile, degrading, humiliating or offensive environment for the recipient. The key issue is that the actions or comments are viewed as demeaning and unacceptable by the recipient.

## **7. Raising complaints of bullying or harassment**

All complaints of bullying and harassment should be raised by the Faith Movement's Safeguarding Officer. Bullying and harassment are different to other forms of complaint and so the grievance procedure is unsuitable for raising complaints about it.

It is in the best interests of all the parties that a complaint of bullying or harassment is reported to the Safeguarding Officer as promptly as possible so that the facts of the matter can be accurately established. The individual raising the complaint will determine if the complaint is treated formally or informally.

Whether an allegation is addressed formally or informally, a record will be kept of all incidents, and of any action that has been taken to try and stop the bullying, and any witnesses.

## **8. Informal procedure**

If a complainant feels that he/she has been bullied and wishes to address the matter informally, he/she should firstly speak to the Safeguarding Officer or the Event Organizer. Without a formal investigation, no conclusion will be made as to whether or not bullying has taken place. However, the Safeguarding Officer may be able to advise on other steps that could be taken before reaching the stage of a formal complaint. Options at the informal stage include:

- A direct approach by the complainant to the individual concerned to ask them to stop the behaviour.
- An indirect approach in writing, either through a third party or through the Safeguarding Officer or the Event Organizer, detailing the behaviour.

## **9. Formal procedure**

The formal procedure may be more appropriate in instances of serious complaint or where an attempt at informal resolution has not been successful.

## **10. Raising the complaint**

- Any complaint about bullying or harassment should be put in writing to the Safeguarding Officer. If preferable, however, a complaint may be reported verbally to the Safeguarding Officer or Chair of the Board of Trustees in person to explain the nature of the complaint. If the matter concerns the Safeguarding Officer, the complaint should be put in writing to the Chair of the Board of Trustees. The person to whom the complaint has been raised (i.e., the Safeguarding Officer or the Chair) will write a brief record of the issue(s) and ask the individual raising the complaint to sign the record to endorse it as the formal complaint.
- The complaint should include all relevant details, including full details of the alleged bullying, the identity of the person(s) concerned, any documentary evidence, details of any witnesses and any action that has been taken to date.

## **11. Investigating a complaint**

The Safeguarding Officer will take action to:

- Raise the matter formally and in person with the person whose behaviour is causing the problem. Both parties are entitled to a full and fair opportunity to put their version of events.
- Ensure that the issue is investigated appropriately, confidentially and as soon as possible. Appendix A gives guidelines on how investigations may normally be conducted.
- Ensure that where possible someone without prior involvement will investigate the complaint.
- Ensure that once an investigation is complete, a report on the findings and recommendations is prepared and sent to the Board of Trustees.
- Ensure that the individual making the complaint, and the person against whom the complaint has been made are told in writing:
  - Whether the complaint has been substantiated;
  - Whether the complaint is to be investigated further;
  - What action will be taken as a result of the complaint, by whom and in what timeframe (though if disciplinary action against the alleged bully

or harasser is one of the actions to be taken, this would be confidential and thus not disclosed to the individual making the complaint);

- About the right to appeal.
- Monitor the situation for appropriate period of time afterwards, to ensure that things have been resolved or that further problems are addressed.

## **12. Appeals**

Anybody who is dissatisfied with the outcome of the formal procedure may appeal in writing to the Safeguarding Officer within 5 working days of being advised of the outcome, setting out the grounds of appeal.

The Board of Trustees will appoint three of their members to arrange an appeal hearing.

The complainant is entitled to be accompanied by a friend or advocate. At the appeal hearing, the complainant will have the opportunity to discuss the grounds of the appeal.

The Trustees hearing the appeal may investigate the matter further, may overturn the conclusion and require it to be reinvestigated, may reach an alternative conclusion if appropriate, or may uphold the original outcome.

The complainant will be notified of the outcome of the appeal within 5 working days of the appeal meeting or as soon as reasonably practicable.

This is the final stage of the formal procedure.

## **Appendix A**

### **Guidelines for investigating alleged bullying and harassment**

If a Trustee, member, volunteer or participant raises allegations of bullying or harassment, the person to whom the complaint has been addressed should contact the Safeguarding Officer.

This document sets out the broad issues to consider when an investigation is needed.

An investigation needs to be focused and comprehensive, and take place as soon as possible. Its aim is to take a reasonably considered view as to the likely facts and whether there is a case to answer. Investigations should comply as far as possible with the rules of Natural Justice, which state as a minimum that an individual should be told of the nature of their alleged misconduct and of their right to be accompanied at the investigation by a friend or advocate, and given a chance to state their case before any decision is made.

### **Who should investigate?**

Careful thought is needed when deciding on who should conduct the investigation. The Safeguarding Officer will make this decision. In any case of alleged sexual harassment, explore whether a man or a woman would be most appropriate to investigate. On rare occasions it may be necessary to appoint an independent person outside the organisation to do so. Any decision to appoint an independent investigator should be taken by the Board of Trustees.

### **Issues to be aware of when investigating alleged bullying and harassment**

Unlike other forms of grievance, bullying or harassment may not be easy to establish on a simple balance of probabilities. This is so particularly in relation to harassment, which is 'unwanted conduct that violates an individual's dignity, or that creates an intimidating, hostile, degrading, humiliating or offensive environment for the recipient.' It is the individual's perception that is key in deciding what behaviour is acceptable to them and what is offensive or unwelcome. Individuals will have different perceptions about this. It is not, therefore, the intention of the perpetrator that is key in deciding whether harassment has occurred, but whether the behaviour is unacceptable to the recipient.

Evidence against a particular individual(s) may be vague or distorted. It may be relevant to consider individual motivations both of the person bringing the complaint and those against whom the complaint is made.

Identifying details both of allegations and any counter allegations, with specific dates and times, and any contemporaneous notes or records, may help clarify genuine complaints.

### **Before the investigatory process begins**

An investigator should:

- Identify the key issues/incidents to be investigated;
- Identify the people to be interviewed;
- Check whether the those involved have been made aware of the anti-bullying and harassment policy;
- Tell the person against whom a complaint has been made, of the nature of the complaint and give them a copy of the anti-bullying and harassment policy;
- Decide the order of people to be interviewed. Normally this will be:
  - the person who raised the issue: and then
  - the person alleged to have acted incorrectly
  - anybody named by the complainant or accused, or any other person as relevant;
- Arrange a suitable place where meetings can be held in private, inform those to be interviewed of time and place, and arrange for someone to take concise notes of the meeting(s);
- Ensure that the meeting is described as an “investigatory interview” and that anyone asked to contribute to it is told they are expected to maintain confidentiality;
- Ensure interviewees know they may be accompanied by a friend or advocate;
- Take into account and plan to accommodate any difficulties in understanding or answering questions which may arise for an interviewee with a disability.

## **Conduct of Investigatory Interviews**

Investigators should:

- Introduce the meeting as an “investigatory interview”;
- Introduce all people present;
- Defer an interview if it is apparent that the interviewee is incapacitated due to illness or other reason and note the reason for deferment;
- Clarify that anyone accompanying an interviewee may not answer questions on the latter’s behalf, though they may offer advice on whether a question should be answered and on whether the questioning is fair;
- Clarify that the interviewee must not discuss the issues with anyone other than the person accompanying them;
- Explain that after the investigatory interview they will be asked to state whether or not they agree to their statement being disclosed if the investigator feels that in all the circumstances it should be disclosed either in its entirety or in an anonymised or reduced version (N.B. it may only be possible to obtain witness statements if witnesses feel assured of confidentiality, however if there are further legal proceedings anonymity cannot be guaranteed);
- Ask clear, focused and relevant questions – preferably start with open questions. Questions should never be leading, accusatory or intimidating. All questions should be asked one at a time and only after the interviewee has finished replying to the previous one;
- Ask interviewees to comment on facts as they appear rather than speculate or theorise;
- Make an effort to understand every reply and seek clarification if necessary;
- After all questions and replies have been given, either ask the interviewee to read the notes of the meeting there and then, or to do so after the meeting, amend them if necessary, and to agree and sign that they are accurate. If there is a difference of opinion as to what was said, the notes should record this and be signed by both parties.
- The investigator should record whether or not the interviewee agrees that his/her statement may be disclosed to all parties at later stages of the procedure.

## **After the investigatory interview**

Investigators should:

- Decide whether, after all interviewees have been seen, the investigation is complete and if not, arrange for further interviews or research into facts to be undertaken;
- Decide, if the investigation is complete, whether there is a case to answer;
- Prepare a short, focused report (probably no more than two sides of A4) and attach it to a copy of the individual written statements for the person responsible for action on any recommendations made, stating:
  - The dates of the investigation
  - The names of everyone interviewed
  - The key issues investigated
  - How the investigation was conducted
  - The evidence and information obtained and their evaluation as to likely facts
  - Their view on whether there is a case to answer and any action, disciplinary or otherwise, which is recommended.

If evidence indicates that a criminal offence may have been committed, investigators should give urgent consideration to the need to refer the matter to the Police and be prepared to explain and account for their investigation at any subsequent appeal.

They should also send the report of what actions should be taken to the Chair of the Trustees, as well as to the Safeguarding Team, as they need to ensure fairness and consistency in terms of actions taken or sanctions applied.

Normally within 10 days of the completion of the investigation, the Safeguarding Officer should consider the investigator's report and liaise with the Safeguarding Team, and decide what action/s is or are appropriate in the light of it (see paragraphs below).

Investigators should use their judgement to decide whether the investigation report and/or witness statements should be disclosed, to whom, in what format, and when (N.B. they may need to refer to Information Commissioner guidelines to help decide whether a person's right to know what information is held about her/him and its source outweigh the right to privacy of a third party who may be identified through releasing the information).

Following the investigation, the investigator should write to the complainant and the alleged bully or harasser with outcomes of the investigation (taking care not to disclose information which should be kept confidential).

Finally, in recognition that investigation procedures can be difficult and distressing, investigators should consider asking both parties if they would like a further meeting outside the procedure which may include discussion of key issues/feelings/action points arising for them from the process, or discussion of support or information needed.

### **Actions following an investigation**

After an investigation, if there is sufficient evidence in support of the complainant, immediate and appropriate actions will be taken to stop the bullying and harassment.

Such actions may include:

- Action and support to stop the behaviour being complained about
- Providing coaching or counselling
- Disciplinary action – may be written warning, or suspension or barring from events

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Next Review .....