



## **LCNUK Anti- Harassment and Bullying Policy**

### **Introduction**

LCNUK is committed to operating an organisation which is free from harassment and bullying. The charity also wants to ensure that any employees, trustees, committee members, contractors, and others who work with us, are treated with dignity and respect. This is without regard to gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.

LCNUK strives to ensure that its environment is free of harassment and bullying and that everyone is treated with dignity and respect in line with the LCNUK's Equality and Diversity and Safeguarding and Wellbeing policies.

This policy is intended to support this commitment in practice and to provide guidance to staff, trustees and committee members on how to deal with concerns of bullying or harassment.

### **Policy**

LCNUK will not tolerate bullying or harassment in our organisation or at our events. This is regardless of whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not. Neither will LCNUK tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute in appropriate action which may involve removal from office or termination of contract.

If a court or tribunal finds that bullying or harassment has taken place, in some circumstances such treatment may amount to a crime punishable by a fine or imprisonment. LCNUK will take appropriate action if any of our trustees, committee members or contractors are bullied or harassed by our stakeholders or suppliers. The person to whom the complaint is reported to will take necessary actions supported by the Red Hot Irons administration team.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee, trustee, committee member or contractor has harassed or bullied another employee, trustee, committee member or contractor, then that individual may be subject to appropriate action, up to and including removal from office or termination of contract.

Employees, trustees, committee members, contractors or others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a serious effect on innocent individuals. Employees, trustees, committee members and contractors have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with and may result in removal from office or termination of contract.

### **The type of treatment that amounts to bullying or harassment.**

Bullying or harassment is something that has happened that is unwelcome, unwarranted and causes a detrimental effect. If employees, trustees, committee members or contractors complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether their complaint accords with a standard definition. For further information, please refer to [Discrimination and the Equality Act 2010](#)

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees, trustees, committee members and contractors must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include appropriate criticism of an employee's, trustee's, committee members, or contractor's behaviour or proper performance management.

All negotiations and discussions must be formally recorded and maintained. Consideration as to whether the incident should be considered a serious incident and reported to the Charity Commission must be given.

### **Sexual Harassment**

LCNUK is committed to providing an environment that is free from sexual harassment and ensuring all staff are treated, and treat others, with dignity and respect. We recognise that sexual harassment can occur both in and outside the workplace, such as at LCNUK-related events or social functions, or on social media.

The organisation will be responsible for ensuring all members, volunteers and paid staff, in understand the rules and policies relating to the prevention of harassing and bullying behaviour within the charity and during charity-related social events. We will promote a professional and positive workplace whereby managers are alert and proactively identify areas of risk and incidents of harassment, sexual harassment and bullying.

Where an incident is witnessed, or a complaint is made under this policy, the organisation will take prompt action to deal with this matter. All incidents will be deemed serious and dealt within in a sensitive and confidential manner.

The organisation requires its member, volunteers and paid members to behave appropriately and professionally at all times during the working day, and this may extend to events outside of working hours which are classed as work-related such as social events. Members, volunteers and paid staff should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time including on social media.

Any form of harassment or victimisation may lead to disciplinary action as per the member and volunteer disciplinary procedure up to and including dismissal if it is committed:

- in a work situation
- during any situation related to work, such as a social event
- against a colleague or other person connected to the charity outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

### **What is sexual harassment?**

Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to sexual harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

Sexual harassment may include, for example:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;

- continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless); or
- offensive emails, text messages or social media content.

A person may be sexually harassed even if they were not the intended target. For example, a person may be sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- Bringing proceedings under the Equality Act 2010.
- Giving evidence or information in connection with proceedings under the Equality Act 2010.
- Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- Alleging that a person has contravened the Equality Act 2010.

Victimisation may include, for example:

- Denying someone an opportunity because it is suspected that they intend to make a complaint about sexual harassment.
- Excluding someone because they have raised a grievance about sexual harassment.
- Failing to promote someone because they accompanied another staff member to a grievance meeting.
- Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

Sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal/expulsion from the charity if they are committed:

- In a work situation.
- During any situation related to work, such as at a social event with colleagues.
- Against a colleague or other person connected to us outside of a work situation, including on social media.
- Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

If any sexual harassment or victimisation of members, staff or volunteers occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

Third-party harassment occurs where a person is harassed or sexually harassed by someone who does not work for, or act on behalf of PCRS, but with whom they have come into contact during the course of their association with the charity.

We have identified that third-party harassment could occur in various situations with third parties including:

- from a sponsor or exhibitor during meetings
- from another healthcare professional not associated with the charity but attending or participating in a PCRS programme
- from a member of the public during travel, eg when travelling to and attending events, other PCRS meetings, making deliveries/collections etc.
- for Drivers, we recognise that this may include whilst the Driver is parked up for rest periods, whether in a car or HGV.

Third-party sexual harassment can result in legal liability and will not be tolerated. All members, volunteers and staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy.

Any sexual harassment by a member of staff against a third party may lead to disciplinary action up to and including dismissal/expulsion from the charity.

We will take active steps to try to prevent third-party sexual harassment of members, volunteers and staff. If any third-party harassment of members, volunteers or staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These may include warning the harasser about their behaviour, banning them from our events/programmes, reporting any criminal acts to the police, and sharing information with employers.

### **Reporting concerns**

#### **What you should do if you witness an incident you believe to harassment or bullying**

If you witness such behaviour, you should report the incident in confidence to the committee chair or chair of trustees who will review the incident. If you are in a senior position within LCNUK (you sit on the LCNUK committee, board of trustees or you hold a named role in the organisation e.g. research chair), then you should report the incident in confidence directly to the Chair of Trustees. If the incident is relating to the behaviour or actions of the Chair of Trustees, then the incident should be reported to the Deputy Chair of the Board of Trustees. In some cases, an arbitrary person such as a retired chair or trustee may be engaged to act as an intermediary. All reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

#### **What you should do if you feel you are being bullied or harassed by a stakeholder or supplier (as opposed to a colleague)**

If you are being bullied or harassed by someone with whom you come into contact during you work for LCNUK, please raise this with the Chair of the Board of Trustees who will then decide how best to deal with the situation, in consultation with you.

#### **What you should do if you are being bullied or harassed by a colleague**

If you are being bullied or harassed by another employee, trustee, committee member or contractor, there are two possible avenues for you, informal or formal:

##### **Informal resolution**

If you are being bullied or harassed by another employee, trustee, committee member or contractor, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to LCNUK policy and must stop. Alternatively, you may wish to ask the committee chair, chair of trustees, or a fellow committee member/ trustee to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by the committee or chair of trustees you should raise the issue with the chair of trustees or deputy chair of trustees who will discuss with you the option of trying to resolve the situation informally by advising the alleged perpetrator(s), without prejudging the matter, that:

- there has been a complaint that their behaviour is having an adverse effect on a fellow employee, trustee, committee member or contractor.
- such behaviour is contrary to LCNUK policy.
- the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the chair of trustees to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The committee chair or chair of trustees will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

### **Formal complaint**

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the chair of trustees. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to co-operate with the investigation and provide the following details (if not already provided).

- The name of the alleged perpetrator(s).
- The nature of the harassment or bullying.
- The dates and times the harassment or bullying occurred.
- The names of any witnesses.
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would need to be told your name and the details of your complaint for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a fellow committee member or trustee. After the meeting (and normally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with our decision.

You should submit your appeal within five working days of receiving written confirmation of our decision. If you submit an appeal, you will be invited to attend a meeting to consider it. Once again you may be accompanied by a fellow committee member or trustee. We will write to you afterwards to confirm our final decision.

### **Disclosure and confidentiality**

We will treat personal data collected during this process in accordance with the LCNUK data protection policy. Information about how employees' data is used and the basis for processing data is provided in the LCNUK Privacy Policy

**Date of Production:** 16<sup>th</sup> November 2023

**Date Last Approved by Board of Trustees:** 23<sup>rd</sup> January 2025

**Date of Next Review** January 2028