



Code of Practice on Harassment and Bullying

POLICY STATEMENT:

Baillies Mills Accordion Band is committed to providing an environment which is free from harassment and bullying, and to this end will not condone behaviour that is abusive or offensive. The band believes that all band members have a right to be treated with dignity and respect. This Code of Practice applies to allegations raised by band members, and should be regarded as forming the initial – informal- procedure for handling such matters.

INTRODUCTION:

The aim of this Code of Practice is to eliminate all forms of offensive behaviour, and to raise an awareness of the effects of such behaviour on band members, and to promote an environment in which band members feel able to raise complaints of harassment or bullying without fear of victimisation, and where both parties can move forward positively through the establishment of a basis for acceptable working relationships. It should also be noted that harassment on grounds of gender, race, ethnic origin, nationality, disability, religion, sexual orientation, or age are unlawful: they are contrary to the Sex Discrimination Act (1975), the Race Relations Act (1976), the Race Regulations 2003, the Disability Discrimination Act (1995), the Protection from Harassment Act (1997), the Employment Equality (Religion or Belief) Regulations 2003, the Employment Equality (Sexual Orientation) Regulations 2003 and the Employment Equality (Age) Regulations 2006. All band members have a personal and legal responsibility not to behave in a manner that could be offensive to others.

In considering complaints under this policy, there is a need to take account of all the circumstances, in particular the perception of the complainant, in deciding the reasonableness of the complaint. Given these sensitivities and the scope for subjectivity in perception and understanding, it is important to ensure that an individual accused of harassment or bullying is able to respond fully, and explain his/her position before conclusions of any kind are reached.

However, if the behaviour of those complained against is illegal or constitutes a disciplinary offence, then action will be taken through the appropriate procedures.

DEFINITIONS:

Harassment, in general terms, is unwanted conduct that has the purpose or effect of either violating another band member's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person. Harassment may occur in a face-to-face setting, by telephone, in written or electronic communications.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the band member. Bullying or harassment may be by an individual against an individual, or involve groups of people. It may be obvious, or it may be insidious.

CONFIDENTIALITY:

The band is committed to investigating allegations fully, fairly, quickly and confidentially. On a practical level, however, it is usually difficult to sort out a problem without some communication with the alleged "harasser", named witnesses etc. The band will, as far as possible, protect a complainant's wish for confidentiality, though where a complaint identifies harassment or bullying, the band has a legal responsibility to take appropriate action which might mean confidentiality cannot be preserved. Confidentiality is important to all parties affected, particularly in the early stages when an individual feels concerned about the behaviour of another and wishes to seek advice and explore the seriousness of the situation. However, as soon as any attempt is made to deal with the situation in a way that directly involves the individual who is accused, that individual must be informed of the nature of the complaint. Thereafter, there should be an attempt, as far as possible, to maintain confidentiality in respect of all parties while seeking a solution.

PROCEDURE FOR MAKING AND DEALING WITH COMPLAINTS:

The band's approach to complaints is to attempt to resolve them as quickly and informally as possible, and at the level at which they occur. The informal procedure set out below reflects this approach, while the formal stage consists of recourse to the appropriate outside agencies.

If an individual thinks that he/she is being subjected to harassment, bullying or discrimination in any form, they should not feel that it is their fault, or that they have to tolerate it without question.

In the first instance, the band member should consider how best to deal with the situation, and might seek advice from the following:

- the band's coordinator for Safeguarding Children and Young People
- the band's Chairperson
- the band's Secretary

The band member should then consider an approach to the band member concerned to explain that his/her behaviour is unwanted, or is causing distress, asking that it should cease. This could be done by the person alone, or in the presence of one of those listed above. At this initial, informal stage, there may be no need to 'document' proceedings.

If/when the matter moves to a point where a third party becomes involved e.g. a Solicitor etc. then there is a need for the band to document and record communication/proceedings following the engagement of the third party.

7.5 If the matter remains unresolved through this informal approach, or if the problem continues after an agreed resolution, then the band may need to consider some form of mediation.

GUIDANCE NOTES - FOR A BAND MEMBER ACCUSED OF HARASSMENT OR BULLYING:

If a band member makes a complaint against you, you should consider the following:

- Read this Code of Practice in full, and note the obligations of all members under the band's policy on harassment and bullying.
- Differences of attitude, background and culture or misinterpretation of social signals mean that what is perceived as harassment by one band member may not be or seem so to another. Even though your behaviour may seem harmless to you, the other person's reasonable reaction to your behaviour is important.
- Listen carefully to the complaint, and the particular concerns expressed, and consider whether the complaint can be justified in any way, and whether it would be advisable and appropriate to change your behaviour.
- The first indication you may have that there is a problem may be when another band member tells you that he/she is offended or upset by certain aspects of your behaviour, and he/she asks you to stop behaving towards them in a particular manner.
- Alternatively, you may first be made aware that there is a problem when approached by one of the designated members of the band attempting to resolve the issue, or informing you that a formal complaint has been made.
- If you are accused of harassment or bullying, you may wish to consult a Solicitor, Mediator, etc.