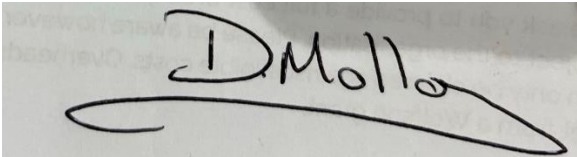
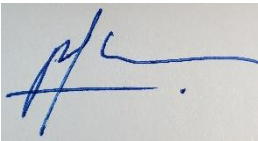




## First **Star** Scholars **UK**

# Anti Bullying and Harassment Policy

<b>Date of Last Review</b>	<b>17/10/2024</b>
<b>Review Cycle</b>	<b>Annually</b>
<b>Date (Month/Year) of Next Review</b>	<b>10/2025</b>
<b>Date Policy was Ratified</b>	<b>17/10/2024</b>
<b>Named Lead for Writing/Review</b>	<b>Emily Hollis MBE</b>
<b>Signed:</b>	<b>Date</b>
<b>CEO</b>	<b>17/10/24</b>
	
<b>FSSUK Board of Trustees – Chair</b>	
	

## **Purpose**

The purpose of this policy is to protect anyone who is involved with First Star Scholars UK (the charity) from harassment and bullying and to ensure that we respond promptly, proportionately and sensitively to any concerns raised and, insofar as possible, treat these confidentially.

Our aim is for the charity to have an anti-bullying culture whereby no bullying will be tolerated.

The charity has a zero tolerance approach to bullying and harassment. Our aim is to provide an environment where everyone is treated with dignity and respect and can work and receive our services without fear of bullying or harassment. It aims to ensure that individuals we employ and support feel confident to bring complaints, or to challenge behaviour, without fear of ridicule or reprisal. This policy includes procedures and processes for staff, individuals, and their family and carers to follow if they feel they are being subjected to any form of bullying or harassment, and action to be taken by the charity in response.

Bullying and harassment can cause lasting damage to those individually affected and to the charity as a whole. We expect staff to behave with dignity and respect towards one another, and to address and eliminate any behaviour which is contrary to this.

We will treat seriously any allegation of harassment or bullying, particularly those relating to age, gender, pregnancy, marital status, religion or belief, sexual orientation, gender reassignment, disability or race as these are forms of discrimination and unlawful. All allegations of bullying or harassment will be viewed as grounds for potential disciplinary action for staff and persistent or gross harassment or bullying may lead to dismissal.

## **Applicability**

This policy applies to anyone working on our behalf, including our board of trustees and other volunteers. It is to be brought to their attention on joining the charity and made readily available to anyone who may wish to read it.

We expect organisations we work with to have the same robust approach in tackling harassment and bullying. We will not accept anyone being harassed or bullied by an organisation, beneficiary, or member of the public and will take appropriate action in such circumstances.

## **Bullying and Harassment**

Bullying and harassment is behaviour that makes someone feel intimidated or offended. Harassment is unlawful under the [Equality Act 2010](#).

Harassment, in general terms is unwanted conduct affecting the dignity of the individual in the workplace, where actions or comments are viewed as demeaning and unacceptable to the recipient. It may be related to age, gender, race, disability, religion, belief, sexuality, nationality or any personal characteristic of the individual, and may be persistent or an isolated incident.

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate, or injure the recipient.

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. It may be face to face or by letter, email, online and phone. Whatever form it takes, it is unwarranted and unwelcome to the individual. It may take place in private or in public.

For further guidance see: [Workplace bullying and harassment - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Examples of bullying or harassing behaviour include:

- Spreading malicious rumours
- Unfair treatment
- Picking on or regularly undermining someone
- Denying someone's training or promotion opportunities

Behaviour that one individual may consider to be acceptable, another may not, so it is important that everyone is respectful of and sensitive to the needs and views of others. However, bullying does not include appropriate criticism of someone's behaviour or proper performance management.

## **The Law**

Bullying itself is not against the law, but harassment is. This is when the unwanted behaviour is related to one of the following: age, sex, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief and sexual orientation.

## **Responsibilities**

Everyone must:

- take responsibility for their own behaviour and change it if necessary, as harassment or bullying is not acceptable. This means not ignoring a complaint from anyone who claims they find your behaviour harassing or bullying, even if such behaviour would not have been offensive to you and you did not intend to offend anyone. Failure to take complaints seriously or to change behaviour may lead to disciplinary action
- speak out if they witness or are aware of bullying, vindictiveness, verbal or physical aggression – and not assume that it is someone else's responsibility
- question their own fears, prejudices and assumptions
- familiarise themselves with the responsibilities placed on them by this policy. Certain individuals have additional responsibilities under this policy, as set out below

The CEO:

- has overall responsibility for overseeing this policy
- monitors implementation of the procedures, advises on action needed, reviews the policy and procedures prior to consideration by the Board

- reports to the Board
- responsible for recording complaints of harassment or bullying raised by staff/others, 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
- ensuring that staff understand the policy and deal swiftly with any instances of perceived or reported harassment or bullying in line with the procedures below

#### The Board of Trustees:

- have a responsibility to lead the charity and create a culture of openness and respect in which harassment and bullying will not be tolerated and individuals feel confident in reporting any concerns
- have a central role to play to ensure the charity has clear policies
- ensure allegations are handled promptly, sensitively, appropriately and in line with employment and other laws
- are responsible for ensuring they have processes in place to hear and address any concerns

#### Partner Organisations / Contracts / Service Users:

- those working with the charity must ensure that they and their staff understand the policy and their responsibilities

### **Reporting Concerns**

Bullying and harassment are different to other forms of complaint and so the grievance procedure is unsuitable for raising complaints about it. Incidents of bullying or harassment may be complex in nature. The aim of this procedure is to stop the undesirable conduct and prevent a recurrence.

Those concerned about bullying or harassment are encouraged to take their concerns directly to the CEO (or to the Chair of the Board of Trustees if the concern is regarding the CEO).

It is in the best interests of all the parties that a complaint of bullying or harassment is reported as promptly as possible so that the facts of the matter can be accurately established, normally within four weeks of the last alleged incident. However, the nature of bullying or harassment may mean that it can take a number of incidents before the individual affected is able to realise or identify what is happening.

Whether you choose to address any allegation of bullying formally or informally, you may wish to keep a record of all incidents, how they made you feel, how you changed as a result, any action you have taken to try and stop the bullying, and any witnesses.

## **Anonymous Reporting**

Concerns raised anonymously will be recorded and any facts available looked into. However, in doing so we will be mindful that anonymous complaints can sometimes be malicious. Everyone involved in our work, even incidentally, has a right to complain and we will hold anyone accountable but, equally, individuals have a right to be protected from unsubstantiated and, potentially, malicious allegations. Consequently, anyone wishing to raise a concern is strongly encouraged to provide his or her contact details. This will also allow us to advise him or her of the outcome.

## **Informal Procedure**

In some cases it may be possible to rectify matters informally. Sometimes people are unaware that their behaviour is not welcome, and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease. It may be that the individual will choose to do this themselves, or they may need support from the CEO, a colleague or an employee representative.

If you believe that you, or others, have been bullied and you wish to address the matter informally, you should speak to the CEO. They will discuss the situation with you.

Without a formal investigation, no conclusion will be made as to whether or not the bullying has taken place, but the CEO may be able to advise on other steps you could take, with or without their help, before you get to the stage of a formal complaint. The CEO will be able to discuss the informal options available, for example mediation.

## **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.

## **Raising the complaint**

- If you believe that you have been subjected to bullying, you should put your complaint in writing to the CEO. If the matter concerns the CEO or you do not feel comfortable raising a complaint of this nature with them, you should put your complaint in writing to the Chair of the Board of Trustees.
- If you prefer, however, you may see them in person to explain the nature of the complaint and they will then make a brief record of the issues and ask you to sign it as a correct record of your formal complaint.
- Your 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.
- If, at any point, you decide to withdraw the complaint you must inform the CEO / Chair of the Board of Trustees in writing.

## **Investigating your complaint**

The CEO will take action to:

- Ensure that the issue is investigated appropriately, confidentially, and as soon as possible.
- Ensure that where possible someone without prior involvement will investigate your complaint.
- Raise the matter formally and in person with the person whose behaviour is of concern. This will be done sensitively bearing in mind the need to protect both your rights as the complainant and those of the person about whom you are complaining – both parties are entitled to a full and fair opportunity to put forward their version of events.
- Ensure that once an investigation is complete, a report on the findings and recommendations is prepared and that the Board of Trustees have been consulted before any further meeting with you or the person whose behaviour is at issue.
- Ensure that you, 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 (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 you)
  - That you may appeal
- Monitor the situation for an appropriate period of time afterwards, to ensure that things have been resolved or that further problems are addressed

## **Appeals**

Anybody who is dissatisfied with the outcome of the formal procedure may appeal in writing within 5 working days of being advised of the outcome.

Staff should notify the Chair of the Board of Trustees in writing within this timescale, setting out the grounds of your appeal.

Wherever possible a Trustee not previously involved in your complaint will arrange an appeal hearing. However, the size and management structure of the charity, as well as considerations of confidentiality, may mean that this is not always possible to arrange.

You are entitled to be accompanied by a trusted member of staff / work colleague or trade union representative.

At the appeal hearing, you will have the opportunity to discuss the grounds of your appeal.

The person hearing your 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.

You will be notified of the outcome of the appeal within 5 working days of the appeal meeting or as soon as reasonably practicable. If the outcome changes, as far as possible, you will be told of any action that the charity intends to take. However, if this involves disciplinary action against the alleged bully or harasser, you would not normally be involved in this process, as any disciplinary proceedings involving another member of staff are confidential to that member of staff.

This is the final stage of the formal procedure.

**Version Control - Approval and Review**

<b>Version No.</b>	<b>Approved by</b>	<b>Approval Date</b>	<b>Main Change</b>	<b>Review Period</b>
1.0	Diarmuid Molloy	17 October 2024	New policy format approved	Annually