



Harassment Policy and Procedure

Definitions

“Harassment”	<p>A person subjects another to harassment by engaging in unwanted and unwarranted conduct which has the purpose or effect of:</p> <ul style="list-style-type: none">• violating another person’s dignity, or• creating an intimidating, hostile, degrading, humiliating or offensive environment for another person. <p>The recipient does not need to have explicitly stated the behaviour was unwanted.</p> <p>This definition includes, but is not limited to, the definition of harassment in Section 26 of the Equality Act 2010, which relates specifically to conduct related to a protected characteristic</p>
“Bullying”	<p>Bullying is a form of harassment and may be characterised as offensive, intimidating, malicious or insulting behaviour, or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient;</p>
“Victimisation”	<p>We will regard as victimisation any instance where a person is subjected to detrimental treatment because that person, in good faith:</p> <ul style="list-style-type: none">• made an allegation of harassment, or• indicated an intention to make such an allegation, or• assisted or supported another person in bringing forward such an allegation, or• participated in an investigation of a complaint, or• participated in any disciplinary hearing arising from an investigation, or• takes any other steps in connection with this Policy and Procedure, or• is suspected of having done so;
“Employees”	<p>The term “employees” includes unpaid volunteers who work with the Company;</p>
“Everyone and Anyone”	<p>The terms “everyone” and “anyone” includes staff, contractors, unpaid volunteers, participants, and spectators;</p>

Policy Statement and Introduction

Hertfordshire Golf does not tolerate any form of harassment or victimisation and expects everyone to treat each other with respect, courtesy and consideration.

We are committed to fostering an inclusive culture which promotes equality, values diversity and maintains a working and social environment in which the rights and dignity of everyone is respected.

Our aims as reflected in this Policy are to:

- promote a positive environment in which people are treated fairly and with respect;
- make it clear that harassment is unacceptable and that everyone has a role to play in creating an environment free from harassment
- provide a framework of support for everyone who feels they have been subject to harassment;
- and
- provide a mechanism by which complaints can wherever possible be addressed in a timely way.

Those in positions of authority, such as Directors, Team Managers and Line Managers have:

- formal responsibilities under this Policy and are expected to familiarise themselves with the Policy and Procedures on appointment;
- a duty to implement this Policy
- to make every effort to ensure harassment and victimisation do not occur and, that if they do occur, any concerns are investigated promptly and effectively.

Everyone has the right to:

- expect professional behaviour from others
- have a corresponding responsibility to behave professionally towards others
- have a personal responsibility for complying with this Policy and Procedure and must comply with and demonstrate active commitment to this Policy by:
 - treating others with dignity and respect
 - discouraging any form of harassment by making it clear that such behaviour is unacceptable
 - supporting anyone who feels they have been subject to harassment, including supporting them to make a formal complaint if appropriate.
- We seek to protect anyone from victimisation, which is a form of misconduct which may itself result in a disciplinary process.

Behaviours

Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.

The intentions of the alleged harasser are not always determinative of whether harassment has taken place. The perception of the complainant and the extent to which that perception is in all circumstances reasonable will also be relevant.

Being under the influence of alcohol, drugs or otherwise intoxicated is not an excuse for harassment.

Harassment can take a variety of forms:

- through individual behaviour
 - face-to-face, either verbally or physically
 - through other forms of communication, including but not limited to, written communications and communications via any form of electronic media or mobile communications device (including social media): such behaviour may also amount to a breach of the Company's Facilities.
 - directly to the person concerned, or to a third party
- through a prevailing environment which creates a culture which tolerates harassment or bullying, for example the telling of homophobic or racist jokes.

Examples of behaviour which **may** amount to harassment under this Policy include (but are not limited to) the following:

- unwanted physical contact, ranging from an invasion of space to an assault, including all forms of sexual harassment, including:
 - inappropriate body language
 - sexually explicit remarks or innuendoes
 - unwanted sexual advances and touching
- offensive comments or body language, including insults, jokes or gestures and malicious rumours, for example on the basis of race and religion or belief
- open hostility, verbal or physical threats
- insulting, abusive, embarrassing or patronising behaviour or comments, humiliating, intimidating, and/or demeaning criticism
- persistently shouting at, insulting, threatening, disparaging or intimidating an individual
- constantly criticising an individual without providing constructive support to address any performance concerns
- persistently overloading an individual with work that that individual cannot reasonably be expected to complete
- posting offensive comments on electronic media, including using mobile communication devices
- threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission
- deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history
- isolation from normal work, conversations, or social events
- publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.

Stalking may also be a form of harassment and may be characterised by any of the following repeated and unwanted behaviours:

- following a person
- contacting, or attempting to contact, a person by any means
- publishing any statement or other material:
 - relating or purporting to relate to a person, or
 - purporting to originate from a person

- monitoring the use by a person of the internet, email or any other form of electronic communication
- loitering in any place (whether public or private)
- interfering with any property in the possession of a person
- watching or spying on a person including through the use of CCTV or electronic surveillance.

Application of the Policy

Harassment is a serious offence. Those who feel they have been subject to harassment can make a complaint by following the Harassment Procedure in Annexe A.

When a criminal offence may have been committed, the relevant harassment Procedure may not be appropriate. These cases will include, but not be limited to, serious assault or threat of serious assault. Employees can seek advice from the Board and/or approach the Police directly. Further guidance on dealing with cases of sexual assault or sexual violence is available.

<https://www.victimsupport.org.uk/help-and-support/information-leaflets>

Tel. 0808 1689 1111

Incidents of harassment that occur within the Company will normally be dealt with under appropriate Company procedures, while reflecting the principles of this Policy.

Anyone who feels they have been subject to harassment can seek sources of help and advice for support.

If a complainant is deemed to have known or to have reasonably been expected to know that a complaint was unfounded, the allegation of harassment may be judged to be vexatious or malicious, and disciplinary action may be taken against them. No action will be taken if a complaint which proves to be unfounded is judged to have been made in good faith.

All parties involved in a complaint (including any witnesses who may be interviewed as part of any investigation, or trade union representatives supporting any of the parties) should maintain the confidentiality of the process. Those involved in advising complainants should, where possible, seek the consent of the individual for the onward disclosure of relevant information to those with a clear need to know. Where such consent is not forthcoming, the person entrusted with the information should make it clear that, in exceptional circumstances, it may be necessary to disclose the information, taking account of the duty of care which may be owed to the individual and/or others.

The overall responsibility for this policy lies with the Board.

Responsible Person: Bobby Kendall, Chair (HR Lead)

Adopted: 25 January 2022

Review: September 2024

Annexe A Harassment Procedure

The harassment process enables any employee to raise concerns relating to Bullying or Harassment to their Manager. In general, where an allegation of bullying and harassment has been made, the Complainant and Respondent(s) should make every effort to try and resolve the allegation informally. However, every allegation of bullying and harassment is serious and will be treated as such.

Any formal complaint must be submitted to the appropriate Complainant's Manager who will conduct investigative interviews with the Complainant and Respondent. If the Respondent denies the complaint, the Complainant's Manager will appoint a Director to carry out an independent investigation.

Once the Director has completed their investigation, a report is provided to the Complainant's Manager who will then evaluate the evidence and draw conclusions from it.

The Complainant's Manager must decide, on the basis of careful consideration of the evidence provided in the Final Investigation Report, whether all or some of the incidents complained about are more likely to have occurred than not and, therefore, whether the formal complaint is upheld in full or in part.

Specifically, the Complainant's Manager must decide on the balance of probabilities whether there is sufficient, insufficient or no evidence to substantiate the allegations made and whether these amount to bullying and/or harassment.

Harassment paperwork should also be retained on an employee's personnel file if appropriate.