the brain injury association

HEADWAY NORTH CUMBRIA
BULLYING AND HARASSMENT POLICY

INTRODUCTION

1. Harassment and bullying damage the working environment and can have an adverse impact on the health, confidence, morale and performance of those affected by them. They may also have a damaging effect on individuals who are not themselves the object of unwanted behaviour but who are witness to it or have knowledge of the behaviour.

2. Headway North Cumbria does not tolerate bullying or harassment and believes that its members and volunteers are entitled to an environment which respects their personal dignity and which is free from such conduct.

3. The taking part in any of the following behaviour will lead to disciplinary action, and potentially exclusion from group activities:

- Harassing or bullying anyone else;
- Threatening anyone who raises a harassment or bullying complaint;
- Retaliating against anyone who raises a harassment or bullying complaint;
- Making allegations maliciously or in bad faith; and/or
- Giving false or intentionally misleading information during any investigation.

AIM OF THE POLICY

4. The purpose of this policy is to explain the Headway North Cumbria approach to dealing with harassment and bullying, should it occur.

SCOPE

5. This policy applies to all members, volunteers, and committee members involved with Headway North Cumbria.

6. This policy:

- explains the concepts of ‘bullying’ and ‘harassment’
- sets out our expected standards of behaviour

Produced: November 2026	Review: November 2029

- sets out the process you should follow if you have a bullying or harassment complaint
- explains how we will deal with any complaints

7. Since Headway North Cumbria wants to provide an environment free from harassment, bullying and intimidation this policy applies in the following contexts:

- at any premises at which Headway North Cumbria is conducting its weekly drop-in session.
- anywhere away from the Day Centre, during activity weekends, outings, organised trips or social events.
- online and through social media.

PRINCIPLES

8. The following principles apply:

- Every individual has the right to be treated with dignity and respect, regardless of their background, identity or role.
- Headway North Cumbria is committed to fostering a safe, inclusive, and supportive environment where everyone can contribute without fear of discrimination or mistreatment.
- Harassment or bullying of any kind will not be tolerated.
- Everyone is responsible for their actions and behaviour and will be held accountable for engaging in harassment or bullying.

WHAT IS BULLYING?

9. Bullying is unwanted behaviour from a person or group that is one of the following:

- Offensive, intimidating, malicious or insulting.
- An abuse or misuse of power that undermines, humiliates or causes physical or emotional harm.

10. Bullying may be open or covert, direct or indirect, an isolated incident or a series of repeated actions. A single incident can amount to harassment if sufficiently grave. They may also include, in certain circumstances, conduct that takes place away from the workplace, for example at work related social events and could happen face-to-face, online, by phone or in writing. It can be verbal and non-verbal. It is not always obvious to others.

11. Although bullying is often connected to a power imbalance, that does not mean that it always involves a more senior person bullying a more junior person. It can also be directed at someone more senior than the bully. It may take the form of spreading rumours, refusing to follow instructions, undermining authority, making fun of or mocking the more senior person.

WHAT IS HARASSMENT?

12. When bullying or unwanted behaviour is about certain protected characteristics under discrimination law, then it is referred to as harassment. The protected characteristics[1] are:

- **Age:** Being a part of a specific age group (young or old, or a range of ages).
- **Gender reassignment:** Proposing to undergo, undergoing, or having undergone a process (or part of a process) to reassign your sex by changing your physiological or other aspects of sex.
- **Marriage and civil partnership:** Being married or in a civil partnership.
- **Pregnancy and maternity:** Being pregnant, or being on maternity leave.
- **Disability:** Having a physical or mental impairment that has a substantial and long-term adverse effect on your ability to do normal daily activities.
- **Race:** Including colour, nationality, and ethnic or national origins.
- **Religion or belief:** Any religious or philosophical belief, or a lack of belief.
- **Sex:** Being a man or a woman.
- **Sexual orientation:** Whether your sexual attraction is towards people of the same sex, the opposite sex, or both.

13. Discrimination law also recognises sexual harassment is something separate to harassment on the grounds of sex. Sexual harassment occurs when someone is subjected to unwanted conduct of a sexual nature or when a person is treated less favourably because they have accepted or rejected unwanted conduct of a sexual nature.

14. Harassment is defined as behaviour that creates a hostile, humiliating, degrading or similarly offensive environment in relation to a protected characteristic. Name-calling, lewd comments, excluding colleagues, making insensitive jokes and displaying pornographic material are all examples of harassment.

15. It is not the intention of the perpetrator which defines whether a particular type of conduct is classed as harassment but the effect it has on the recipient. Accordingly, it will not necessarily be a defence that such incidents consist of words or behaviour which might be claimed to be ‘common place’, ‘banter’ or were intended as a joke or were not intended to be offensive.

[1] https://www.gov.uk/discrimination-your-rights

Registered Charity Number 1025852

16. The law protects people who are harassed because they are thought to have a certain protected characteristic when they do not, or they are linked to someone who has a certain protected characteristic even if they don't have it themselves.

EXAMPLES OF BULLYING AND HARRASSMENT

17. Examples of harassment or bullying include but are not limited[2] to:

a. physical attacks,

b. unwelcome sexual advances,

c. public humiliation,

d. repeated shouting or swearing,

e. banter about a person's protected characteristic such as their gender, age, race, religion, political belief, disability, sexual orientation or transgender status,

f. abusive language or jokes,

g. name calling,

h. the display of material of offensive material (even if not directed at the complainant),

i. persistent unwarranted criticism,

j. lewd and/or unwelcome comments about your own or others' physical appearance,

k. physical conduct which is unwanted and/or unnecessary,

l. sarcastic personal remarks about colleagues,

m. exclusion from the normal workplace, conversation or social events,

n. open hostility towards individuals from a particular group.

[2] This list is not intended to be exhaustive. It is a guide to help all staff to identify behaviour that is not acceptable and each incident of harassment or discrimination will be viewed on its individual merits.

HOW WE DEAL WITH HARASSMENT AND BULLYING

INFORMAL STAGE

18. In the first instance, a recipient of unwanted conduct amounting to bullying or harassment may prefer to try to resolve the problem by explaining to the individual concerned that the behaviour is not welcome, that it offends or makes the recipient uncomfortable, or that it interferes with their work. Many issues can be resolved informally. Before an individual uses the formal procedure, it is sometimes a good idea to speak with the person they feel is harassing or bullying them and explain that their behaviour is unwelcome, inappropriate, or upsetting. Surprisingly often, people think of their behaviour as 'banter' and have no idea that it is upsetting or unacceptable.

19. Sometimes it is difficult to speak with the perpetrator directly. If that's the case, the complainant should talk to a member of the committee informally and in confidence. If the issue is with a member of the committee - or there's another reason you would prefer not to discuss it with them - you should instead speak to the branch Chair.

20. If an individual finds it too difficult or embarrassing to take up the matter themselves, they should ask a colleague who will participate in an informal meeting between themselves and the individual concerned or will, at the complainant's request, approach the individual on their behalf.

21. The informal stage will not result in any formal internal investigation or disciplinary action but is intended to enable an individual to resolve the matter themselves without it going any further in the branch.

22. If an individual considers that they may have been subjected to conduct amounting to a criminal offence (such as a sexual assault), they may seek the assistance of a member of the committee to accompany them to make a formal complaint to a police officer or to provide them with any other assistance they may require.

FORMAL STAGE

23. It is not always possible to resolve issues informally. Where informal resolution is not appropriate, is not requested or where the outcome has been unsatisfactory, an individual may raise the matter as a complaint using the Headway North Cumbria Comments, Complements and Complaints procedure. It is recognised that this type of grievance may be sensitive and difficult to formulate and an individual may seek assistance from colleague to help prepare the complaint.

INVESTIGATIONS

24. Headway North Cumbria will treat all complaints in confidence, as far as is possible, and if it is found that an individual has been the victim of harassment or bullying, will take steps to stop it continuing or recurring.

25. Headway North Cumbria will appoint someone unconnected with the allegations to investigate them in an independent and objective manner. Investigations will be completed as soon as possible and will be carried out with sensitivity and with due respect for the rights of both the complainant and the alleged harasser. All those interviewed will be permitted to be accompanied by a friend, colleague or representative of their trade union or professional organisation.

26. All those interviewed will be informed that the interview is confidential and that they must not discuss the complaint with colleagues or friends. Breach of confidentiality may give rise to disciplinary action.

27. The investigation will focus on the facts of the complaint. Notes will be kept of all stages of the investigation and those interviewed will receive notes of the interview to agree. Parties will not be required to repeat distressing or embarrassing details any more than is necessary.

28. Wherever possible, consideration will be given to ensuring that the complainant and the alleged harasser are not required be together whilst the complaint is under investigation.

SANCTIONS

29. Where a grievance is upheld, Headway North Cumbria will consider the wishes of the complainant as to what should be done. This may involve:

a. moving the harasser to another role including, where appropriate, retraining.

b. offering the complainant counselling to enable him or her to recover from the effect of the harassment.

30. The question of disciplinary action against the harasser is a separate matter and Headway North Cumbria will respect the rights of the harasser as to the confidentiality of any disciplinary sanction that is put in place.

31. If it is decided that the complaint is not upheld, an explanation will be provided. Either way, Headway North Cumbria will look at ways of addressing the relationship between the individuals concerned.

Produced: November 2026	Review: November 2029

OTHER CONSIDERATIONS

32. Headway North Cumbria will seek to ensure that the complainant is not penalised whether directly or indirectly for bringing a complaint and the situation will be monitored to ensure that the harassment has stopped.

33. Any complaint that is unfounded and not made in good faith, for example a malicious complaint, may, however, lead the complainant to be subject to sanctions which may include barring from the branch.

34. If an individual complains about harassment or bullying, they should not be victimised as a result. If they believe that they have been victimised, they must tell a member of the committee as soon as possible.

35. Headway North Cumbria has a duty to protect all its volunteers and members. That means that if a complainant changes their mind after having raised a complaint of harassment or bullying (even where you complained informally or in confidence), Headway North Cumbria may choose to investigate anyway. The complainant's views into account before going down this route.

36. Details of all formal complaints of harassment will be collated by the Secretary with a view to ensuring that every effective step has been taken to prevent harassment within the charity and to monitor the effectiveness of the complaints procedure.

PROTECTING CONFIDENTIALITY

37. Harassment and bullying allegations can raise strong feelings and are always serious. This is why both Headway North Cumbria and the person making the allegation have an obligation to maintain confidentiality as far as possible. This applies at every stage, including the investigation and the outcome, unless this is incompatible with a fair investigation.

38. To protect the interests of the person complained about, the person who has raised the complaint, and any others who may be involved as witnesses or otherwise, confidentiality will be maintained during any investigation process as far as is possible. This does not mean that individuals involved in the process will be afforded anonymity as it is necessary for all parties involved to understand the specifics of the allegations made in order to respond appropriately.

39. If a complainant makes a harassment or bullying complaint and does not maintain proper confidentiality at any time during the process, or if an individual is interviewed in connection with someone else's complaint and likewise fail to maintain confidentiality, they may face sanctions.

40. Sometimes, Headway North Cumbria may decide it is inappropriate to discuss the outcome of an investigation with the complainant. It is recognised that will leave the complainant feeling dissatisfied and would only be done if there was a good reason not to keep the complainant informed.

RELATED HEADWAY NORTH CUMBRIA POLICIES AND PROCEDURES

Code of Conduct for Members
Comments, Compliments and Complaints Procedure
Confidentiality Policy
Health and Safety Policy
Privacy & Dignity Policy
Safeguarding Policy
Volunteer Cde of Conduct
Volunteer Policy
Whistleblowing Policy

Produced: November 2026	Review: November 2029