



# GYC Anti-bullying and harassment Policy

## 1 POLICY STATEMENT

- 1.1 GYC aims to foster an amiable and personable and sportsmanlike culture within the club which encourages members to give of their best and gain maximum enjoyment from the sport of boating and other GYC activities.
- 1.2 Members, contractors and visitors to the club have the right to be treated with consideration, fairness, dignity, and respect when involved in club activities.
- 1.3 Members, contractors and visitors to the club have a responsibility to maintain good club relationships and not use words or deeds that are likely to cause offence or harm the wellbeing of others.

## 2 SCOPE

- 2.1 This GYC policy applies to all members, contractors and visitors to the club. The policy, in addition, covers the behaviour of members toward other members outside of club hours (such as on social media) and off-premises where this is a club activity.

## 3 DEFINITION OF HARASSMENT

- 3.1 Harassment is defined in the Equality Act 2010 as unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. The protected characteristics as defined by the Equalities Act 2010 are:

- Age
- Disability
- Gender reassignment
- Marriage or civil partnership
- Pregnancy and maternity
- Race (including colour, nationality, and ethnic or national origin)
- Religion or belief
- Gender
- Sexual orientation

- 3.2 Harassment may be an isolated occurrence or repetitive and may occur against one or more individuals. Harassment may be, but is not limited to:

- Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour
- Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language

- Exclusion from activities with which the individual could reasonably expect to be involved
- Written – similar comments transmitted via, for example social media
- Non-verbal – offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities

#### **4 DEFINITION OF BULLYING**

4.1 For the purposes of this policy bullying is defined as unwanted behaviour from a person or group that is offensive, intimidating, malicious or insulting. Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively, repeated and persistent behaviour. Bullying includes but is not limited to:

- Conduct which is intimidating, physically abusive, or threatening
- Conduct which makes someone feel uncomfortable or offended
- Conduct that denigrates, ridicules or humiliates an individual, especially in front of other members
- Humiliating an individual in front of members
- Picking on one person when there is a common problem
- Unwarranted shouting at an individual to get things done
- Consistently undermining someone and their ability to do the job
- 'Cyber bullying' i.e. bullying via e-mail, social media or other instant messaging.

#### **5 RESPONSIBILITIES**

5.1 Every member of the club and user of club facilities is responsible for their own behaviour and for ensuring that their conduct is in accordance with the principles set out in this policy.

5.2 Where members witness serious incidents of bullying or harassment, they have a duty to report this to Council and assist in any investigation.

#### **6 LEGAL CONTEXT**

6.1 Harassment is addressed by the Equality Act 2010, where it relates to a protected characteristic.

6.2 Bullying is not defined in law, though the following legislation may apply under some circumstances:

- The Protection from Harassment Act 1998.
- Criminal Justice and Public Order Act 1994.
- Whistleblower protections.
- Human Rights Act 1998.

## **7 INTENT, IMPACT, STANDARD OF PROOF AND EVIDENTIARY BURDEN**

- 7.1 When Council seeks to determine whether harassment or bullying has occurred, the intention of the person accused of harassment and/or bullying (the "alleged perpetrator") is not the deciding factor; the question instead is whether the behaviour could *reasonably be deemed unacceptable* to the recipient of such behaviour.<sup>1</sup>
- 7.2 Harassment or bullying may be determined by a pattern of behaviour rather than isolated instances, involving negative behaviour being targeted at an individual, or individuals, repeatedly and persistently over time.
- 7.3 Where the club needs to form a judgement regarding a formal complaint of bullying or harassment, the burden of proof is on the complainant and the standard of proof is on the preponderance of the evidence. The authority for a decision on the outcome is a majority of votes cast by the Council of management.

## **8 INITIATING AN INVESTIGATION**

- 8.1 Any person who wishes to make a complaint of harassment or bullying should do so by following the GYC Complaints Procedure.
- 8.2 No individual will be victimised or suffer detriment for making a complaint of harassment or bullying.
- 8.3 Council will investigate and formally consider any complaint of harassment or bullying submitted to them according to the procedures set out in the GYC Complaints Policy.
- 8.4 If Council finds that a member is guilty of bullying or harassing another member, they may impose such sanctions for misconduct as are permitted by the Articles.

## **9 MONITORING & REVIEW**

- 9.1 GYC will regularly review how this policy and any supporting action plans are implemented.

**Approved by Council 25<sup>th</sup> February 2023**

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<sup>1</sup> See Equality Act 2010 - s.26(4) – clauses (a) through (c)