



# **WRT Harassment Policy**

**WRT 01/18**

**WEARDALE RAILWAY TRUST**

# Weardale Railway Trust

## Harassment Policy and Procedure



### Introduction

Weardale Railway Trust (WRT) does not tolerate any form of harassment or victimisation and expects all members, visitors and contractors to treat each other with respect, courtesy and consideration.

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

1 The aims of the WRT as reflected in this Policy are to:

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

2. WRT Trustees have formal responsibilities under this Policy and are expected to familiarise themselves with the Policy and Procedures and have a duty to implement this Policy and to make every effort to ensure that harassment and victimisation do not occur.

All members of the Trust have the right to expect professional behaviour from others, and a corresponding responsibility to behave professionally towards members and visitors.

All members 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 any member who feels they have been subject to harassment, including supporting them to make a formal complaint if appropriate.

**3 Definitions:** A person subjects another to harassment where

- that person engages in unwanted and unwarranted conduct which has the purpose or effect of:
  - a. violating another person's dignity, or
  - b. creating an intimidating, hostile, degrading, humiliating or offensive environment for another person.

The recipient does not need to have explicitly stated that the behaviour was unwanted.

- 4.** 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.
- 5.** WRT seeks to protect any member from victimisation, which is a form of misconduct which may itself result in a disciplinary process.

WRT will regard as victimisation any instance where a person is subjected to detrimental treatment because s/he has, in good faith:

- 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
- taken any other steps in connection with this Policy and Procedure, or
- is suspected of having done so.

## 6 Behaviours

- 6.1 Harassment may involve repeated forms of unwanted and unwarranted behaviour, but a one-off incident can also amount to harassment.
- 6.2 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 the circumstances reasonable will also be relevant.

### 6.4 Harassment can take a variety of forms:

- through individual behaviour or face to face, either verbally or physically or through other forms of communication, including but not limited to, written communications and communications via any form of electronic media or mobile communications device:
- directly to the person concerned, or to a third party
- through a prevailing organisation 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:
  - a. inappropriate body language
  - b. sexually explicit remarks or innuendoes
  - c. unwanted sexual advances and touching
  - d. offensive comments or body language, including insults, jokes or gestures and malicious rumours
  - e. open hostility, verbal or physical threats
  - f. insulting, abusive, embarrassing or patronising behaviour or comments, humiliating, intimidating, and/or demeaning criticism
  - g. persistently shouting at, insulting, threatening, disparaging or intimidating an individual
  - h. constantly criticising an individual without providing constructive support to address any performance concerns
  - i. persistently overloading an individual with work that s/he cannot reasonably be expected to complete
  - j. posting offensive comments on electronic media, including using mobile communication devices

- k. threatening to disclose, or disclosing, a person's sexuality or disability to others without their permission
- l. deliberately using the wrong name or pronoun in relation to a transgender person, or persistently referring to their gender identity history
- m. isolation from normal work or study place, conversations, or social events
- n. publishing, circulating or displaying pornographic, racist, homophobic, sexually suggestive or otherwise offensive pictures or other materials.

6.5 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 –
  - a. Relating or purporting to relate to a person, or
  - b. Purporting to originate from a person;
  - c. Monitoring the use by a person of the internet, email or any other form of electronic communication;
  - d. Loitering in any place (whether public or private);
  - e. Interfering with any property in the possession of a person;
  - f. Watching or spying on a person including using CCTV or electronic surveillance.

## Procedure

### 1 Informal approaches

In some cases, it may be possible to rectify matters informally. Sometimes people are not aware that their behaviour is unwelcome and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease.

2 If informal action fails in resolving the situation or would not be appropriate given the nature of the complaint, the complainant should arrange to speak confidentially to either the General Manager or the Volunteer Liaison Officer as appropriate to attempt a resolution. If any of the parties considers that either the General Manager or the Volunteer Liaison Officer or both have a conflict of interest in the complaint, the complaint may be referred to WRT Chairman.

3 If there is no satisfactory resolution then a formal complaint should be made in writing to the General Manager.

In the letter, the complainant should set out as clearly and succinctly as possible

- a. the nature of the behaviour that s/he is concerned about;
- b. the effect of this behaviour on her/him; and
- c. the resolution s/he is seeking. The complaint should include dates and details of any witnesses to any incidents referred to in the complaint, together with any documentary evidence. The complainant should also

explain what attempts, if any, have been made to resolve the difficulties and the outcome s/he is seeking.

- 4 On receipt of the written complaint, the General Manager will acknowledge receipt and appoint a member of staff/volunteer who has not been in close contact with the parties concerned to investigate the complaint and recommend action.
- 5 The investigation may involve interviews with the person against whom you are making the complaint. You will be informed of whether the complaint is well founded. Disciplinary action may be taken against the person alleged to have committed the behaviour you are complaining about.
- 6 The investigation will be thorough, in confidence and impartial and will not be carried out by anybody in direct contact with the parties concerned. A friend, staff member, volunteer representative or any other appropriate person may be present when either you, or the person who is alleged to have committed the offence complained of, puts their side of the case.
- 7 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.

#### **WRT Harassment Policy & Procedure v1**

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<b>Signed by and on behalf of Weardale Railway Trust</b>	<b>Name</b> <b>Mr Kevin Richardson</b>  <b>Designation</b> <b>Chairman</b>	<b>Signature</b>  <i>K Richardson</i>
<b>Signed by and on behalf of Weardale Railway Trust</b>	<b>Name</b> <b>Mr. Paul Wilson</b>  <b>Designation</b> <b>Secretary</b>	<b>Signature</b>  <i>PWilson</i>