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Approved by:	The Board of Trustees of the Miranda Brawn Diversity Leadership Foundation
Chair of the Board of Trustees:	Dr. Miranda Brawn (the “Chair”)
Date effective:	June 2020
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POLICY TITLE:

The Miranda Brawn Diversity Leadership Foundation Safeguarding and Anti-Harassment and Bullying Policy

POLICY STATEMENT:

SAFEGUARDING

Our commitment

Safeguarding is extremely important to TMBDLF and sits at the heart of our programmes, values and events.

We believe it’s everyone’s responsibility to safeguard children and adults at risk from abuse and to take action when made aware of the risk of harm.

In line with UK laws, regulations and international standard setting bodies, TMBDLF recognises it has particular responsibilities to safeguard and promote the welfare of:

- all children who engage in TMBDLF activities, including the children of adults that use TMBDLF mentoring and other services or attend our events;
- all adults at risk who engage in TMBDLF activities,

and to keep them safe and to practice in a way that protects them.

Purpose of policy



TMBDLF is committed to creating an environment which ensures all those accessing services or working with TMBDLF enjoy opportunities to thrive, develop to their full potential and can feel safe from risk of harm or abuse.

The purpose of TMBDLF's safeguarding policy is:

- to protect children and adults at risk who engage with TMBDLF activities through effective safeguarding practice and codes of conduct;
- to uphold safer recruitment practices to prevent those intent on harming children and adults at risk from accessing the children or adult at risk who engage in TMBDLF activities;
- to make sure we effectively recognise, respond, record and report safeguarding concerns or disclosure so that those who engage with us access the safeguards they need if at risk of harm or abuse; and
- to provide those who work with TMBDLF, all who engage with TMBDLF activities, and the parents, guardians and/or carers of the children who take part in our programmes and events, the overarching principles that guide our approach to child and adults at risk protection.

TMBDLF recognises that many of our programmes and events are centred around creating trusted spaces for exploring life experiences which could increase the likelihood of those who engage with TMBDLF activities disclosing current or past experiences of safeguarding concerns. This makes TMBDLF's commitment to, and responsibility for, safeguarding and promoting the welfare of all children and adults at risk central to our practice.

The policy

The policy and all accompanying procedures apply to all those who work with TMBDLF, including members of staff, Trustees, contractors, partners, volunteers, visitors and any other individual who may work with TMBDLF from time to time.

It is the responsibility of all who work with TMBDLF to act if there is a cause for concern about a child or an adult at risk, or the behaviour of an adult towards a child. It is not their responsibility to determine what action is required to protect them. Rather responsibility for deciding whether to escalate a concern to the appropriate authority lies with the Chair.

TMBDLF requires that our partners with whom we contract or otherwise engage, share our commitment to safeguarding. We will expect them to demonstrate this to us by having their own safeguarding policy and procedures in place that are 'fit for purpose' before any partnership agreement is agreed and continued or that the partners are in agreement to adhere to TMBDLF's safeguarding policy and procedures while working under the TMBDLF umbrella.

TMBDLF is committed to ensuring all those who work with TMBDLF including volunteers, Trustees and relevant contractors are trained to the appropriate level to fulfil both their day to day role and safeguarding roles and responsibilities.



ANTI-HARASSMENT AND BULLYING

Introduction

TMBDLF are committed to having a workplace which is free from harassment and bullying and to ensure that all Trustees, volunteers, employees, contractors and, others who come into contact with us in the course of our work, are treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability. Striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is central to ensuring equal opportunities in employment.

This policy and procedure is intended to support this commitment in practice and to provide guidance to those involved with TMBDLF on how to deal with concerns of bullying or harassment.

Policy

We will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace, whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We will take appropriate action if any of our Trustees, employees, volunteers or contractors are bullied or harassed by any of our stakeholders or suppliers.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that a Trustee, employee or volunteer has harassed or bullied another Trustee, employee, volunteer or contractor, then the relevant Trustee, employee or volunteer may be subject to disciplinary action, up to and including dismissal.

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result. False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff, volunteers and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

What type of treatment amounts to bullying or harassment?

Bullying or harassment is something that has happened that is unwelcome, unwarranted and causes a detrimental effect. If Trustees, employees or volunteers complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition. For further information, please refer to ACAS guidance.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.



Bullying does not include appropriate criticism of a person's behaviour or proper performance management.

Reporting Concerns

What you should do if you witness an incident you believe to be harassment or bullying: If you witness such behaviour you should report the incident in confidence to an appropriate representative of TMBDLF. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

What you should do if you feel you are being bullied or harassed by a stakeholder or supplier (as opposed to a colleague): If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Chair. We will then decide how best to deal with the situation, in consultation with you.

What you should do if you are being bullied or harassed by a colleague: If you are being bullied or harassed by another Trustee, employee, volunteer or contractor, there are two possible avenues for you, informal or formal.

Informal Resolution

If you are being bullied or harassed by another Trustee, volunteer, employee or contractor, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask a colleague to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by the Chair, you should raise the issue with one of the Trustees. The relevant Trustee(s) will discuss with you the option of trying to resolve the situation informally by:

- telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a colleague;
- that such behaviour is contrary to our policy; and
- that the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the Chair and/or Trustee(s) to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. The Chair and/or Trustee(s) will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened before) we may decide to investigate further and take more formal action (including contacting the relevant authorities) notwithstanding that you raised the matter informally. We will consult with you before taking this step where possible.



Raising a Formal Complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Chair and/or Trustee(s). A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred,
- The names of any witnesses and
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would need to be told your name and the details of your complaint in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a colleague or other representative of your choosing.

After the meeting (and normally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with our decision. You should submit your appeal within five working days of receiving written confirmation of our decision. If you submit an appeal, you will be invited to attend a meeting to consider it. Once again you may be accompanied by a colleague or other representative of your choosing. We will write to you afterwards to confirm our final decision.

Disclosure and confidentiality

We will treat personal data collected during this process in accordance with the Privacy Policy. Information about how Trustees' and volunteers' data is used and the basis for processing data is provided in the Privacy Policy.

Use of the Disciplinary Procedure

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any, Trustee, employee or volunteer found to have harassed or bullied another person will be liable to disciplinary action up to and including summary dismissal.