ENGLAND NnetBALL



Anti-Bullying and Harassment Policy

Responsible Officer	Director of Finance & Corporate Resources
Group Owner	Executive Team
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Applicable for	This policy is mandatory. It applies to Clubs, Regional Management Boards, County Netball Associations, all England Netball employees and volunteers acting in any capacity within netball where a separate policy does not exist.
Summary	This policy provides information on England Netball's Bullying and Harassment Policy. It explains the aims, objectives and how it intends to achieve them. The policy also sets out the process to follow when dealing with complaints of bullying or harassment.

Version Control:

Person Responsible	Version and summary of changes	Date
HR Business Partner	Extended to cover England Netball Employees	August 2018

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ENGLAND NETBALL STATEMENT OF COMMITMENT

1.1 This policy sets out England Netball's position and approach towards bullying and harassment. England Netball believe that its employees and volunteers should be able to work and enjoy their sport without fear of being intimidated, harassed or bullied.

1.2 England Netball is committed to providing an environment which promotes good working relationships between service users, volunteers and members of staff. All employees and volunteers should be able to come to work or play sport without being intimidated, harassed or bullied. England Netball will not tolerate any such behaviour on the part of their employees or volunteers and will challenge bullying and harassment to create an environment where everyone is made to feel safe and able to enjoy their sport.

1.3 This policy defines bullying and harassment. It outlines a framework for dealing with a complaint of bullying and/or harassment and preventing this type of behaviour.

1.4 England Netball will address and endeavour to eliminate harassment and bullying by: -

a) Promoting a positive working and sporting environment where all staff, and volunteers are treated with dignity and respect.
b) Ensure that allegations of harassment and bullying are fully investigated.
c) Use the England Netball Codes of Conduct and Disciplinary Regulations where appropriate.
d) Provide access to confidential support and where necessary counselling services.

1.5 This policy is also designed as a guide for netball providers, members and clubs to help;

- Recognise bullying or harassing behaviour.
- Respond to, and safely challenge bullying and harassment.
- How to raise a complaint without fear of victimisation.
- Seek assistance and support when addressing bullying and harassment.

SCOPE

2.1 This policy is mandatory and applies to England Netball employees, clubs, Regional Management Boards, County Netball Associations, and all volunteers acting in any capacity within netball where a separate policy does not exist.
2.2 Where the policy references 'employee', it is also applicable to a worker but for avoidance of doubt, a worker does not have a contract of employment or the same employment rights as an employee.
2.3 In some instances, clubs in association with Regional Management Boards and County Netball Associations, may have adopted separate anti-bullying and harassment policies which apply and should be followed. For additional information please refer to Appendix B guidance notes.

DEFINITION

3.1 Definition of terms:

There are many definitions of harassment or bullying. For practical purposes harassment and bullying involves something that is unwelcome, unwanted and causes a detrimental effect.

Harassment: Is unwanted conduct with the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Harassment has a legal definition under the Equality Act 2010 when this unwanted conduct is related to a relevant protected characteristic.

Harassment can take many forms. For example, abusive language, name calling, offensive screen savers, jokes, offensive emails, texts, cruel or offensive postings on social media sites. It can also include spoken or written words.

The conduct is unwanted in the sense of unwelcomed or uninvited, even if the victim has not expressly communicated to the harasser that they object to the behaviour. A serious one-off incident, for example forwarding a pornographic email, can be classed as harassment.

Bullying: Can be defined as unwelcome, malicious, insulting, offensive or intimidating behaviour or treatment by one individual, or groups which may be persistent or an isolated incident. Bullying can involve misuse or abuse of power or a group may bully an individual.

Direct Discrimination: This occurs when a person directly discriminates against another person because of a 'protected characteristic, where they treat them less favourably than they treat or would treat others. It is direct discrimination when the person who engages in less favourable treatment is influenced at least in part (consciously or subconsciously), by the protected characteristic (for example, a person's sex, race or disability).

Victimisation: Victimisation has a specific meaning under the Equality Act 2010. It is subjecting someone to less favourable treatment because they have made a complaint of discrimination, lodged a grievance, supporting a colleagues' grievance or bringing a tribunal claim alleging discrimination or harassment. Examples of victimising behaviour could include being:

- bullied or belittled;
- Ostracised or excluded, having tasks removed;
- Denied promotion;
- Denied bonuses paid to comparable colleagues: or
- Given a poor reference.

FORMS OF BULLYING AND HARASSMENT

4.1 Bullying and harassment can take many forms but can include;

- Spreading malicious rumours, or insulting someone by word or behaviour, particularly on the grounds of race, gender, disability, sexual orientation, religion or belief and age.
- Passing derogatory comments about particular groups or individuals that are racist, sexist, disablist, homophobic, ageist, anti-religious or against someone's belief.
- The display of offensive material such as pornography or racist literature.
- Copying or forwarding emails or memos that are about someone to others who do not need to know.
- Ridiculing or demeaning someone, picking on them or setting them up to fail.
- Gossip or speculation about someone's sexual orientation.
- Exclusion or victimisation.
- Unfair treatment.
- Overbearing supervision or other misuse of power or position.
- Unwelcome sexual advances, touching or standing too close.
- Making threats or comments about job security without foundation.
- Deliberately undermining an individual by overloading and constant criticism.
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.
- Making derogatory comments towards another individual or spreading rumours about an individual through social networking sites e.g. Facebook or Twitter.
- Single or multiple incidents.

APPLICATION OF THE POLICY

5.1 England Netball employees should report bullying or harassment by using the England Netball Grievance Procedure.

5.2 The following process should be followed when dealing with complaints of bullying and harassment by England Netball volunteers.

5.3 England Netball's aim when dealing with any complaints of harassment, is to swiftly resolve the problem in such a way as to maintain as far as possible a reasonable working environment for all parties concerned, confidentially and sensitively with due respect for the rights of the victim.

5.4 Everyone connected with netball have a duty to challenge conduct or language, which has the potential to offend or humiliate another person whether an employee or volunteer.

5.5 The harassment and bullying procedure puts into practical effect the principles contained in the policy. The procedure recognises that victims of harassment want it to stop and for action to be taken against the perpetrator to stop it reoccurring again. This procedure aims to:

- Enable complaints to be investigated and dealt with as discreetly, effectively and sensitively as possible.
- Develop a working environment, where harassment is known to be unacceptable and where individuals feel able to raise complaints and be confident that management will act appropriately.
- Provide support, respect and understanding of a person's rights as an individual.

5.6 To report bullying or harassment at your netball club please contact your local club Safeguarding Officer or the England Netball Compliance Manager in confidence by either: email besafe@englandnetball.co.uk

INFORMAL STAGE

5.7 One of the objectives in England Netballs strategy is to establish a safe, fair and inclusive sporting environment. The promotion of respect, good sportsmanship, high standards of behaviour and ethics are fundamental to this objective. The Code of Conduct set out standards and expectations that are applicable to every volunteer. Bullying or Harassment are taken seriously and are a breach of the Code of Conduct which if proven could result in disciplinary action.

5.8 The informal stage of this procedure can be used as a constructive means of dealing with any harassment and bullying complaint. The informal stage may involve the club Safeguarding Officer arranging a meeting with the individual and the alleged perpetrator(s), either with a third party or through a mediation process in a hope that the concerns can be addressed.

5.9 Mediation can be a good way of dealing with bullying, discrimination or harassment situations depending upon the nature of any allegations. Please refer to the England Netball guide to mediation.

5.10 Where possible, individuals who feel that they have been the subject of bullying or harassment should be encouraged to resolve the problem informally **if** they wish to do so. Advantages of dealing with such matters informally include:

- Resolve any misunderstandings at an early stage and before the problem becomes difficult to resolve.
- Giving the parties involved an opportunity to explain their perspective on the issue.
- Allows both parties to agree a way forward, change their behaviour and where possible maintain a working relationship.
- Minimise the stress experienced by the parties involved.
- The matter is kept confidential between the parties concerned.

5.11 Dealing with the matter informally involves raising the issue directly with the alleged perpetrator(s), either verbally or in writing. The individual raising the concern is advised to keep a record of the incident(s) and instances of unacceptable behaviour, so that these can be used during discussions.

5.12 Where the individual finds it difficult to pursue the matter alone, they may wish to seek support from a colleague, England Netball manager or someone else within England

Netball who may make the initial approach if required.

5.13 The person offering support should treat the matter sensitively and in confidence and act in accordance with the wishes of the individual who raised the concern.

5.14 In communicating with the alleged perpetrator either face to face or via letter, it is very important they are informed that their conduct is unacceptable or unwelcome and the effect that it is having on the individual. Notes should be kept of any discussion and of any further incidents.

5.15 Where informal action including mediation (where appropriate) has not resolved the issue or is inappropriate in the circumstances, the individual may choose to move to the formal stage of the procedure. Where the individual decides not to pursue their complaint formally, England Netball may still initiate formal action if the alleged behaviour is of a serious nature that cannot be ignored, and a formal investigation is required.

FORMAL ACTION

5.16 If the informal stage has not been successful or where it is inappropriate in the circumstances, the individual may pursue the complaint through formal action. In this case they must register a formal complaint without any unreasonable delay.

5.17 To register a formal complaint, an individual must complete the Harassment and Bullying Complaints Form (attached as appendix A) which is also available on the England Netball website.

5.18 The complaint must include details of the most recent incident(s), the name of the alleged harasser and returned to the local Safeguarding Officer at the netball club, or if this is not possible by post marked private and confidential for the attention of the Compliance Manager at England Netball head office.

5.19 Once the complaint has been received an acknowledgment letter will be sent and a meeting arranged to discuss the complaint with the club Safeguarding Officer or Compliance Manager. The club Safeguarding Officer will liaise with the Compliance Manager regarding any investigation. In the event of an investigation the complainant will be advised of the name of the Investigating Officer. The alleged perpetrator(s) will be informed of the nature of the complaint against them. Consideration will also be given to any changes to working arrangements whilst the investigation is ongoing.

5.20 Complaints will be treated seriously, and any investigation will be conducted thoroughly, impartially and promptly.

5.21 All parties (including witnesses) will be required to maintain strict confidentiality throughout the investigation.

5.22 The Investigating Officer is responsible for keeping both the complainant and alleged perpetrator(s) informed simultaneously about the progress of the investigation.
The investigation will conclude with a report to the Compliance Manager. The report will summarise the findings of the allegation(s). The findings will be considered by

England Netball before any decision is made on whether further action should be taken.

ROLES AND RESPONSIBILITIES

6.1 Managers, Club Safeguarding Officers and the England Netball Board all have a responsibility for the implementation of this policy note and for ensuring that all volunteers have an awareness of it and for taking the necessary action to comply with its principles.

ROLE	RESPONSIBILITY
Volunteers and Employees	All have a responsibility to help create an environment free from harassment by treating their colleagues with dignity and respect.
Club Safeguarding Officer	The initial point of contact relating to any complaints of bullying and harassment. Responsible to dealing with issues informally and if necessary formal complaints under this policy note.
Complainant	Person who lodges the complaint.
England Netball Manager	An England Netball Manager may be asked to support the local Safeguarding Officer, and where appropriate, to informally deal with workplace situations which are brought to their attention. In cases where the alleged bullying and harassment cannot be dealt with informally they are responsible for advising the individual how to formally lodge a complaint.
Investigating Officer	The nominated Manager is responsible for investigating the complaint under the formal stage of the bullying and harassment policy note. The Investigating Officer is responsible for keeping both the complainant and alleged perpetrator(s) informed simultaneously about the progress of the investigation. The HR Department should also be kept up to date with the progress of any investigation. On completion of the investigation the Investigating Officer is responsible for providing the Compliance Manager with a report of the allegations together with any recommendations.
Compliance Officer	Employed by England Netball and is responsible for monitoring, collecting data on complaints received. The responsibility also includes logging, identifying and supporting Safeguarding Officers who are tasked with dealing with complaints under the bullying

and harassment policy note.

MONITORING, AUDIT AND REVIEW

7.1 The Compliance Manager will be responsible for reviewing and updating the policy in line with any new legislation or statutory changes. This anti-bullying and harassment policy will remain in force until it is amended, replaced or withdrawn.

7.2 All personal information will be held fairly, lawfully and securely in accordance with data protection laws and the England Netball Privacy Policy.

7.3 Monitoring complaints of harassment, both informally and formally, is important to provide information to the Board on the type of complaints received, areas which need addressing and any training which may be required.

7.4 A confidential record will be kept of all formal complaints and their outcomes. Confidential monitoring information will be kept relating to:

- Age, gender, ethnic origin, sexual orientation, religion/belief and disability of all parties involved
- Department or work location
- Time taken to resolve the complaint or conflict
- Feedback which may be provided from parties involved.

7.5 A statistic report will be provided from time to time for the use of England Netball Board.

RELATED DOCUMENTS

8.1 England Netball Grievance Procedure

8.2 **Appendix A** – Bullying and Harassment Complaints Form

8.3 **Appendix B**- Guidance for clubs; coaches, volunteers and officials, parents/carers and young people.

SOURCES OF SUPPORT	
National Bullying Helpline	http://www.nationalbullyinghelpline.co.uk Tel 0845 22 55 787 Mobile 07734 701221
Cyber Smile Foundation	http://www.cybersmile.org email help@cybersmile.org
Stop text bullying	http://www.stoptextbully.com
Bullying UK	www.bullying.co.uk email help@bullying.co.uk Tel 0800 800 2222
NSPCC	www.nspcc.org.uk Helpline 18 or under 0800 1111 NSPCC Helpline 0808 800 5000
Anti-Bullying Alliance	http://www.anti-bullyingalliance.org.uk email aba@ncb.org.uk
Get Connected	http://www.getconnected.org.uk Tel 0808 808 4994
England Netball Compliance Team	besafe@englandnetball.co.uk

APPENDIX A

HARASSMENT AND BULLYING COMPLAINTS FORM

All information disclosed on this form will be treated in the strictest confidence and will not be retained on your personal record file.

Guidance on completing this form

If you are an England Netball employee making a complaint of bullying or harassment please use the England Netball Grievance Procedure.

Upon completion of this form it should be forwarded to the local Safeguarding Officer or England Netball HR Business Partner and marked "Private and Confidential". Following receipt of this form a meeting will be arranged to discuss your complaint.

To assist with reviewing the complaint you should ensure that the following is included:

- Clear and specific allegations against named people
- Dates, times and witnesses provided where these are known
- Direct quotes if able to recall
- Brief description of the context of each incident
- Indication of how each incident made you feel
- The affect the incident has had on your wellbeing
- Details of any action that you or others have taken already, for example attempting to address the matter informally with the alleged perpetrator

You may wish to seek assistance in completing this form from a work companion. Further information regarding Bullying and Harassment complaints can be located from the club Safeguarding Officer or the England Netball Compliance Manager.

Your details (please use block capitals throughout)

YOUR NAME

PREFERRED CORRESPONDENCE ADDRESS   PREFERRED CONTACT NUMBER:

YOUR JOB TITLE AND PLACE OF WORK

YOUR LINE MANAGER

Please give details below of the incident/s causing you to make a formal complaint. Please also include the names, job titles and work location of any witnesses to any part of the events described.

Is it your belief that the actions described are motivated or have the effect of discriminating against you, either directly or indirectly on the grounds of your gender, race, nationality, age, disability or sexual orientation? If yes, please provide further explanation below:

Please give details of where you have attempted to deal with the matter informally (if at all) and the outcome of your attempt.

Signature …… Date …….

Received by Compliance Manager:
Date Received:
Acknowledgement sent:
Investigating Officer/s:

APPENDIX B

GUIDANCE FOR CLUBS; COACHES; VOLUNTEERS AND OFFICIALS; PARENTS/CARERS; YOUNG PEOPLE.

I. CLUBS

- Every allegation of bullying or harassment should be investigated and responded to appropriately. Those responsible for providing netball opportunities and environments are responsible for providing a safe and inclusive environment where bullying behaviours will not be tolerated.
- Anyone involved in the organisation should be aware of the expected standards of behaviour and what to do when they become aware of behaviour which falls short of these expectations. By promoting and implementing this policy and the Codes of Conduct, the organisation can ensure that this is achieved and that all young people, parents/carers and any other concerned person know who to talk to about their concerns and what will happen as a result.
- Must appoint a Club Safeguarding Officer to act as the lead person with responsibility for advising and acting on safeguarding concerns. This person must be given access to appropriate training and supported in their role by the club management.
- Organisations need to be able to provide people with support, through keeping them informed and involved as appropriate and by referring them to external support services. Some of the national agencies and advice lines are listed in the policy under sources of information which can be found in section 9. Local mediation may be necessary, so having a person available to fulfil the mediators' role would be useful.
- Clubs need to be willing to take formal action when informal steps have not worked or not used due to the seriousness of the issue or complaint.

II. COACHES; VOLUNTEERS AND OFFICIALS

- As with any safeguarding issue, everyone accepting their role in ensuring a safe environment will make it less likely that bullying or harassing behaviour can occur. Being aware of the local procedure for reporting a concern will equip you to act when you think something is wrong, overheard a comment, seen someone upset or know that someone is treating another person badly.
- People in positions of trust are particularly responsible for acting as good role models and for recognising and praising positive achievements and behaviours, as well as taking appropriate action when there are negative behaviours. Coaches and officials are especially important in acting as positive role models and promoting the high standards of behaviour which England Netball expects.
- Explaining rules and practices helps reinforce the standards expected of participants. Acting on behaviour which falls short of this ensures that unacceptable behaviour is punished. Doing nothing gives bullies a licence to continue and makes the victim feel doubly picked on and undervalued.

III. PARENTS AND CARERS

- All parents and carers should be provided with a copy of the Codes of Conduct and be aware of what the expectations are on them, what they can expect from the club, and be aware of what the local procedures are for handling allegations of bullying or harassment.

- When a concern has been raised about a young person, the person should be made aware of the concern and be given the opportunity to discuss it. The parents of both the person against whom a complaint is made and those of the person who has suffered as a consequence of the behaviour, should be consulted on action to be taken and be part of any agreement to be put in place to tackle the issue. Parental consent will be needed for any acceptable behaviour contract or agreement which is designed to change behaviours and they may need to be asked to enter in to such agreements themselves.
- Parents should be provided with support and information on how to deal with their child being bullied or doing the bullying, including who they can talk to in the club and referral to support services outside the netball environment.

IV. YOUNG PEOPLE

- Young people need to know who to talk to about any concerns and should feel confident that they will be listened to and action taken. Speaking out can be a brave step to take, and it is crucial that once this step has been taken the response to it does not put that person off opening up more about what they are experiencing.
- Young people need to be told what will happen if they raise a concern and supported through the process. They should be assured of a safe environment in which to carry on playing their netball and not be made to feel that they cannot take part in the sport.
- Clubs which have put in place a mentoring scheme, which gives the young person a known contact which can support them when they are feeling unsure or upset. Parents and the club should make sure you know who this is.
- Young people should also be provided with referrals to support lines and other sources of external help, but the club also needs to keep involved and keep the young person informed and comfortable with the way in which an issue is being dealt with. The voice of the young person must be heard and listened to, whilst objective investigation is made and acceptable agreements for any change in behaviour made.