



# CLWB CYCHOD TREFDRAETH NEWPORT BOAT CLUB

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NEWPORT  
Pembrokeshire  
SA42 0RP

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## Newport Boat Club Ltd

### HARASSMENT AND BULLYING POLICY

#### POLICY

1. Newport Boat Club Ltd recognises that all employees, workers, and volunteers, in whatever capacity, have a right to work in an environment in which the dignity of individuals is respected and which is free from harassment and bullying. It is committed to eliminating intimidation in any form.
2. The Policy applies to harassment on the grounds of:-
  - disability
  - gender
  - marital status
  - sexual orientation
  - age
  - creed
  - colour
  - race
  - socio economic state
  - ethnic origin.
3. Harassment breaches Newport Boat Club Ltd Policy as outlined, and it is classified as a serious offence which may result in disciplinary action for employees, including summary dismissal, and treatment of members under the Club's Disciplinary Procedure.
4. The Policy applies to all staff, workers, volunteers and members within Newport Boat Club Ltd.

#### DEFINITIONS

5. Harassment is generally described as "unwanted conduct which affects the dignity of women or men at work; it encompasses unwelcome physical, verbal or non-verbal

behaviour which denigrates or ridicules or is intimidatory". The essential characteristic of harassment is that the action(s) is unwanted by the recipient.

6. The following interpretations and examples of harassment may be helpful in determining whether harassment has taken place. These examples include, but are not limited to:

### **General Harassment**

"Harassment can take many forms and may be directed in particular against women and ethnic minorities or towards people because of their age, disability, gender / gender reassignment, marriage / civil partnership, pregnancy / maternity, race, religion or belief, sex, or sexual orientation. It may involve action, behaviour, comment or physical contact which is found objectionable, or which causes offence; it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment."

### **Sexual Harassment**

"Sexual harassment can be defined as an uninvited, unreciprocated and unwelcome behaviour of a sexual nature which is offensive to the person involved and causes that person to feel threatened, humiliated or embarrassed. Examples of sexual harassment are:

- requests for sexual favours, including implied or overt promises of preferential treatment or threats concerning present or future employment status.
- offensive gestures or comments;
- sexually-orientated jibes, innuendo or jokes;
- unwanted physical contact;
- the display of sexually offensive visual material such as calendars, photographs, books, or videos.

Sexual harassment may be experienced by men or women as a result of the conduct of men or women. It applies equally regardless of grade or level of job and may also occur when dealing with external clients and/or members of the public".

### **Racial or Sectarian Harassment**

"In the workplace, racial or sectarian harassment may take the form of actual or threatened physical abuse or it may involve offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature or offensive remarks about a person's skin colour, physical characteristics or religion. It may also include repeated exclusion of a person from an ethnic or religious minority from conversations, patronising remarks, unfair allocation of work or

pressure about the speed and/or quality of their work in a way which differs from the treatment of other employees."

## **Bullying**

"Bullying is the intimidation or belittling of someone through the misuse of power or position which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above. The following are examples of bullying, including but not limited to:

- Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of others.
- Overbearing and intimidating levels of supervision
- Spreading malicious rumours or making malicious allegations.
- Intimidation or ridicule of individuals with disabilities and /or learning difficulties.
- Ignoring or excluding an individual from the team / group "

## **RESPONSIBILITIES OF MANAGERS/DIRECTORS**

7. Every Manager/Director has an obligation to prevent harassment / bullying and to take immediate action once it has been identified, whether or not a complaint has been made.

8. Allegations of harassment or bullying, received by Managers/Directors, either informally or formally, must be dealt with promptly and sensitively.

9. It is important that Managers/Directors recognise that sexual harassment is any sexual advance unwanted by the recipient or behaviour which causes offence to the recipient. Similarly, racial harassment is behaviour which is racially offensive to the recipient. Managers/Directors must therefore take care to ensure that they do not pre-judge situations based on their own sexual or racial attitudes and perceptions.

10. It may not always be appropriate for a line manager to be involved with specific complaints. For example, if the complainant is male and wishes to speak to a male, but the manager is female, or, if the complaint relates to the conduct of the line manager. The procedure below sets out the alternatives for such instances.

## RESPONSIBILITIES OF ALL EMPLOYEES

11. Every employee, worker, volunteer, or member has a personal responsibility NOT to harass or bully other members of staff.

12. An employee, worker, volunteer, or member who becomes aware of harassment or bullying occurring should bring the matter to the attention of his/her/their Manager/Director.

## REDRESS

13. An employee, worker, volunteer, or member who feels that he/she/they has been harassed or bullied has a right to seek redress via the procedures set out below.

## PROCEDURE FOR DEALING WITH HARASSMENT

### Stage One - Informal

14. An employee, worker, volunteer, or member who feels that he/she/they is being subjected to harassment or bullying may attempt to resolve the matter informally in the first instance. In some cases, it may be possible and sufficient for him/her/they to explain clearly to the person(s) engaged in the unwanted activities that the behaviour is unwelcome, that it offends or makes him/her/them uncomfortable.

- If at the initial informal discussion stage, the circumstances are too difficult or embarrassing to approach the harasser alone, the complainant may wish to be accompanied by a friend or colleague.
- the complainant may wish to write a letter to the harasser (research has shown this to be very effective).
- the complainant should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any) as soon as possible after the incident, using the *H&B Complaint Incident Record* (App 1) form kept behind the bar.
- in some cases, victims of harassment or bullying may not be sufficiently confident to tell the harasser that his or her behaviour is unacceptable. Newport Boat Club Ltd. emphasises therefore that staff, workers, volunteers, or members are not required to approach the harasser in an attempt to resolve the problem informally and are entitled to report the matter immediately if they so wish.

15. Where the steps outlined above are unsuccessful or inappropriate, the complainant should raise the matter informally and in confidence with his/her/their manager. Alternatively, the matter may be raised with a Director (if felt necessary this could be of the same sex as the complainant).

16. If the complaint relates to the conduct of the complainant's line manager, the complainant may choose to discuss the matter with the Commodore in the first instance.

17. The Manager/Director will discuss the matter with the complainant and agree a course of action. The complainant may be accompanied by a representative or work colleague at these meetings. The alleged harasser will also have the right to state their version of events to the manager and to also be accompanied by a representative or colleague.

18. The complainant must be assured that he/she/they will not be discriminated against or victimised for raising the complaint. Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed.

19. At any stage of the process the complainant, the manager dealing with the complaint, or the accused may feel that they need the help of an independent person before deciding on the best course of action. Newport Boat Club Limited will seek the advice of a suitable trained persons who can give confidential advice and assistance, including:

- advising on the nature of harassment.
- offering guidance on resolving harassment problems, including acting as an independent broker

20. If the situation cannot be resolved informally then the complainant has the right to pursue his or her complaint formally.

### **Stage 2 - Formal Staff Members**

21. Where management consider that there may be evidence of harassment, they may consider it appropriate to undertake a full investigation of the circumstances. In this case a manager not connected with the department involved, or a Director will be commissioned to undertake this investigation. Best practice in relation to confidentiality will be maintained during this investigation; and both the complainant and alleged harasser will have the opportunity to have their say. The investigator will also interview and take statements from any appropriate witnesses to the alleged harassment.

22. Where there is evidence that harassment has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment is a serious offence which may result in summary dismissal.

## **PROCEDURE - MEMBERS**

23. Where an allegation of harassment or bullying is brought against a member, the following Article 21 applies:

### *21. Obligations and Conduct*

*21.1 Upon admittance to Company Membership and thereafter as a Member of the Company, Members in all categories and Juniors, and Specified Persons are deemed to have taken notice of these Articles and of any Company rules as are in force and by implication have undertaken to comply with such Articles and rules. Any refusal or neglect to do so, or any conduct whether in the Company Premises or elsewhere which is the subject of complaint or, in the opinion of the Management Committee, is offensive or is likely to have an adverse effect on the Company or bring the Company into disrepute, shall render such person(s) liable to suspension or expulsion or to have its Membership terminated under the following procedure.*

*21.2 Immediately after the receipt of an allegation (verbal or written) or as soon as possible afterwards, a panel normally consisting of the Commodore, the Vice-commodore and an Officer shall speak informally to the alleged offender and shall decide within 24 hours whether in their opinion there has been a breach of Article 21.1. If the panel deems at their discretion that Article 21.1 applies, the alleged offender shall be required to absent himself/herself temporarily from the Company Premises during the investigation. If agreement to this is not forthcoming, or if the alleged offender subsequently does not honour such an agreement, the Board may have displayed in the Company Premises a notice saying that the alleged offender has been temporarily suspended.*

*21.3 The allegation shall be investigated as follows:*

*(a) A date shall be fixed for the Management Committee to meet to consider further action and/or to conduct a hearing, the said meeting normally to take place not before 14 days and not later than 21 days after the panel meeting;*

*(b) Normally not later than 7 days before the meeting of the Management Committee the Secretary shall cause written notice of the said meeting to be served upon the alleged offender, at the last address notified to the Company, inviting their presence, accompanied by one companion (who can be another Member) if so desired, at the said meeting. The notice should also indicate that the allegation(s) will be considered whether or not the alleged offender and/or companion appear. The Management Committee may call witnesses in support of the allegation(s) and may, at its sole discretion, accept written testimony;*

*(c) At the said meeting, the allegation(s) against the alleged offender shall be recited in the presence of the alleged offender and the companion if in attendance. The alleged offender and companion shall be given the opportunity to answer the allegation(s), question the Management Committee and its witnesses and call such witnesses in defence of the allegations as they deem necessary.*

*(d) The Management Committee shall then retire and consider what action should be taken. The Management Committee may decide to:*

*(i) reinstate the alleged offender;*

*(ii) reinstate the alleged offender subject to a warning as to future conduct;*

*(iii) appoint a fixed period of suspension from the Club Premises;*

*(iv) immediately terminate Membership and/or any Full Member Entitlements or Partial Entitlements.*

*(e) The decision of the Management Committee shall be final and shall be conveyed as soon as possible orally to the alleged offender and confirmed in writing, normally within five working days of the hearing. The decision shall also be displayed in the Company Premises if:*

*(i) the temporary suspension imposed under Article 21.2 has been lifted; or*

*(ii) any of the actions in sub-Articles (d)(iii) or (d)(iv) of this Article 21.3 have been imposed.*

*(f) Following termination of Membership, the Member shall be removed from the Register of Members.*

*(g) A Member whose Membership is terminated under this Article shall not be entitled to a refund of any Subscriptions or membership fee and shall remain liable to pay to the Company any Subscriptions or other sum owed by him or her.*

## **COMMUNICATION OF THE POLICY**

24. All staff, workers, volunteers, and members will be informed of the Harassment and Bullying Policy and Procedure. The advice by newsletter and posting of the policy on the Club website will be deemed as appropriate notification for members.

They must be re-assured regarding:

- fear that others will consider the behaviour trivial and not take complaints of harassment seriously;
- fear that no action will be taken against a person guilty of harassment;

- fear of retaliation or victimisation in registering a complaint either informally or formally through the Grievance Procedure.

25. The Harassment and Bullying Policy will be part of staff induction.

## **TRAINING**

26. Training will be provided for those employees/volunteers who have a specific responsibility for implementing this Procedure or who may be involved in dealing with complaints which arise.

## **MONITORING AND REVIEW**

27. In order to assess the effectiveness of the Procedure, statistics and information will be maintained in respect of the complaints of harassment by the Club Administration Manager. Strict confidentiality will be maintained, and the monitoring process will comply with the Data Protection Act.

The policy will be reviewed periodically and at least annually from date of initial approval.

EC 21.09.23



## NBC Ltd. H&B Complaint Incident Record

This form should be filled in as soon after an incident as possible to record and/or report incidents or complaints of workplace bullying and harassment.

Name and contact information of complainant
Name of alleged perpetrator

### Personal statement

Please describe in as much detail as possible the bullying and harassment incident(s), including:

- the names of the parties involved
- any witnesses to the incident(s)
- the location, date, and time of the incident(s)
- details about the incident(s) (behaviour and/or words used)
- any additional details that would help with an investigation

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, such as vandalized personal belongings, can also be submitted.

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Signature	Date
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