



BULLYING & HARASSMENT POLICY

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1. Purpose

U3a York is committed to providing a welcoming, inclusive and respectful environment for all Members. This Policy sets out our approach to trying to prevent bullying and harassment and to address them should they nevertheless occur.

Members have the right to be treated with dignity and respect during all their interactions with other Members. Bullying and harassment are harmful; causes distress and can have an impact on an individual's health, welfare and personal confidence.

Making a complaint about what is perceived to be inappropriate behaviour can be daunting and, this policy therefore aims to ensure that any such complaints and subsequent actions are dealt with sensitively and appropriately for all concerned.

2. Scope

This Policy applies to all Members. It covers behaviour at meetings, events, online interactions and any situation connected with u3a York.

This Policy covers bullying or harassment behaviour by u3a members towards individuals who are not members of u3a York, for example members of the public or contractors. In this instance, issues raised will be considered as a disciplinary matter to be dealt with under u3a York's Disciplinary Policy, which should be read in conjunction with this Policy.

3. Definitions

Bullying: Unwanted behaviour that makes someone feel intimidated, degraded or humiliated. Examples of bullying include:

- Openly humiliating behaviour
- Undermining an individual's ability until they lose self-confidence and self-esteem
- Intimidation by e-mail, mobile phone texting, or other forms of written communication
- Shouting or using threatening language.

Harassment: Unwanted conduct related to personal characteristics (as defined in the Equality Act 2010) that creates a hostile or offensive environment.

Harassment is defined by the impact it has on the recipient, not the intent of the perpetrator. Harassment can take many forms, for example, but not limited to:

- Leering, ridicule, jokes
- Unwelcome comments about dress, appearance, beliefs or life-style choices
- Offensive pictures
- Inappropriate use of e-mail or internet sites
- Unwanted physical contact
- Aggression.

4. Expected Behaviour

All Members are expected to treat others with dignity and respect, to be inclusive, listen to others and challenge inappropriate behaviour respectfully.

5. Unacceptable Behaviour

Bullying, harassment, intimidation, discrimination, exclusion or retaliation will not be tolerated.

6 How Do I Make a Complaint about Bullying and Harassment?

Anyone with a complaint regarding bullying and harassment can choose to pursue it via either a formal or informal process.

6.1 Using the Informal Process

We encourage Members to try to resolve problems informally where possible and appropriate, before using the formal process. It is important to remember that the other person may be unaware of their behaviour and the impact it has, and informal feedback may give the person a better understanding and opportunity to change or stop their behaviour.

To address a complaint informally, a member should tell the person who is perceived to be guilty of the bullying or harassing behaviour how that behaviour is affecting them. It can be helpful to describe instances of the behaviour, including times, places, events or conversations. The person concerned should be asked to change or stop that behaviour. An individual who is made aware that their behaviour is unacceptable should:

- Listen carefully to the complaint(s) and the particular concern(s) raised
- Respect the other person's point of view: they have a right to be in an environment free from harassment/intimidation
- Remember that it is the other person's reaction to and perception of their behaviour that is important
- Agree the aspects of their behaviour that they will change

If Members feel unable to speak to the offending individual themselves, they can approach a Trustee (in person or anonymously), or if the complaint is about the Trustee, the Chair or Business Secretary. If the complaint is about the Chair or Business Secretary, it should be directed to other members of the Board of Trustees.

It is hoped that most issues will be resolved through the informal process within 21 days. Where this is not the case the issue can, at the request of the member move to the formal process.

6.2 Using the Formal Process

Complaints may be made verbally or in writing and should be made to a Trustee.

6.2.1 Investigation

Information will be gathered by an Investigating Officer (appointed by the Chair) from all parties and documented. The Trustee will take advice from the Chair and the Business Secretary to ascertain the circumstances of the complaint and its seriousness. If the complaint is about either the Chair or the Secretary, then the complaint will be directed to the Board of Trustees.

The relevant Trustee should then decide whether to:

- Deal with the matter informally, or
- Proceed to a formal hearing.

6.2.2 Formal Hearing

If a Member does not feel that the informal process is a viable option for addressing the complaint, or if the informal process has already been pursued and the issue persists, the Member may decide to follow the formal process for addressing complaints. Alternatively, u3a York may decide the matter is a disciplinary issue which needs to be dealt with formally.

When dealing with a complaint at the Formal Investigation stage, the Chair will establish a Hearing Panel (as set out in the Disciplinary Policy).

The timetable for the date of the meeting to hear the complaint will be short, ideally within 28 days. The Hearing Panel will consider the matter and agree what action to take.

On receipt of the investigation report the Hearing Panel will decide:

- Whether there is a case to answer
- Whether the matter can be dealt with through mediation, if this has not already been explored, or whether there is justification for further investigation via a formal disciplinary hearing.

If there is no case to answer all records of the matter shall be disregarded and both parties will receive feedback on the reason for the decision.

Where a case to answer has been established, both parties will be given a minimum notice period of 14 days of the hearing and will be asked to present their evidence (this can be in person or via Zoom).

A decision will be issued within 7 working days.

7. Outcomes

These may include warnings, mediation, restrictions or termination of membership.

8. Appeals

Appeals must be submitted within 14 days and will be heard by independent Trustees.

9. Confidentiality

Information will be handled sensitively and shared only where necessary.

10. Record Keeping

Confidential records will be maintained securely.

11. What to do if you witness bullying or harassment

You may not have experienced bullying or harassment directly, but have witnessed someone else being bullied or harassed. If this has occurred, you should raise your concerns in order to protect the safety and wellbeing of the other person.

We understand you may feel worried about getting involved in a situation that does not directly affect you. We will support you in raising your concerns in an informal or formal way, so the bullying or harassment can stop.

12. Review

This Policy will be reviewed every three years by the Board of Trustees.