



# Anti-Harassment and Bullying Policy

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BOTANIC GARDENS  
EDUCATION NETWORK

BGEN is a registered Charitable Incorporated Organisation No. 1103482

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## About this policy

The Botanic Gardens Education Network (BGEN) is a specialist support network for professional plant and natural world educators. We help our members to connect people and plants in innovative and engaging ways.

BGEN aims to integrate our members into an energetic network of like-minded people. We do this through online events, face to face training and networking events and our informative, topical Annual Conference.

BGEN supports and builds capacity in educators and community engagers in natural and plant science, biodiversity and sustainability, visitor engagement, audience development, evaluation and funding.

## This policy covers

- Contractors and freelance staff and any other organisation we contract services to
- Trustees, volunteers, and BGEN members.

All workers, contractors, volunteers and members have a duty to act in accordance with this policy, and to always treat colleagues with dignity, not to discriminate against or harass those volunteering or working for the organisation, whether junior or senior to them. In some situations, we may be at risk of being held responsible for the acts of individuals and , therefore, we will not tolerate any discriminatory practices of behaviour.

Where the term worker is used throughout this policy, it is used to mean anyone working, contracting, volunteering or in membership of, BGEN.

## Scope and Purpose

The purpose of this policy is to ensure that all individuals connected to BGEN are treated with dignity and respect and are free from harassment or other forms of bullying whilst carrying out their duties.

This policy is for guidance only and does not form part of any contract of employment or services.

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Breach of this policy will be dealt with under our disciplinary procedure and, in serious cases, may be treated as gross misconduct leading to summary dismissal from employment, contracted services, or from membership or trusteeship.

### Legislative framework

Under the Health and Safety at Work Act 1974 we have a duty to provide our members, volunteers, trustees and freelance support staff with a safe place and system of work. This includes a workplace free from harassment and bullying which may, in certain circumstances, also amount to unlawful discrimination.

We are also responsible for ensuring that individuals are not harassed, bullied or discriminated against on the grounds of their sex, sexual orientation, marital status, gender reassignment, race, religion, colour, nationality, ethnic or national origin, disability, HIV positive/AIDS status or age.

This policy, and our Equal Opportunities Policy, confirms our commitment to identifying and eliminating all forms of harassment, intimidation, and bullying.

### What is harassment and bullying?

Harassment is any unwanted physical, verbal or non-verbal conduct which has the purpose or effect of affecting an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Physical conduct ranges from touching, pinching, pushing or brushing past someone, to grabbing, shoving, punching and other forms of physical assault.

In addition to the manner in which individuals speak to and about one another, written material and pictures (including that disseminated by interactive and digital technologies) can be used to harass. This includes emails, text messages, film clips and photographs taken using cameras in mobile phones, as well as content uploaded onto websites.

Harassment commonly, but not exclusively, targets the sex, sexual orientation, marital status, gender reassignment, race, religion, colour, nationality, ethnic or national origin, disability, HIV positive/AIDS status or age of the victim. A single incident of unwanted or offensive behaviour to one individual can amount to harassment.



Non-exhaustive examples of harassment include:

- unnecessary or unwanted physical contact, which the offender might perceive to be “horseplay”, and which can include the invasion of personal space, touching or brushing against another worker’s body as well as assault or coercing sexual relations
- unwelcome sexual behaviour, which might be perceived by the offender to be harmless flirting, and which may involve suggestions, advances, propositions or pressure for sexual activity
- suggestions that sexual favours may further an employee’s career or that refusal of sexual favours may hinder it
- continued suggestions for social activity within or outside the workplace, after it has been made clear that such suggestions are unwelcome
- inappropriate behaviour, whether in the form of offensive or intimidating comments or gestures, or insensitive jokes or pranks
- the display or circulation of offensive pictures, objects or written materials which, for example, may be considered pornographic or offensive to particular ethnic or religious groups
- unwanted conduct or conduct that has the purpose or effect of violating an individual’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment on the grounds of their sex, race, sexual orientation, disability, religion or age including abuse or insults about cultures, customs appearance or dress
- ignoring or shunning a worker, for example, by deliberately excluding them from a conversation or a workplace social activity.

Bullying is offensive, intimidating, malicious or insulting behaviour which, through the abuse or misuse of power, makes the recipient feel vulnerable, upset, humiliated and threatened. Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual’s self-confidence, competence and self-esteem. As with harassment, bullying can take the form of physical, verbal and non-verbal conduct. Physical conduct includes perceived horseplay, touching, pinching, pushing as well as grabbing, shoving and other forms of physical assault. In addition to the manner in which workers speak to and about one another, written material and pictures (including that disseminated by interactive and digital technologies) can be used to bully. These include emails, text messages, film clips and photographs taken using cameras in mobile phones, as well as content uploaded onto websites.



Bullying does not include legitimate and constructive criticism of an individual's performance, or behaviour or reasonable requests made of individuals.

Non-exhaustive examples of bullying include:

- shouting at, being sarcastic towards, ridiculing or demeaning others
- making physical or psychological threats
- overbearing supervision and making inappropriate and/or derogatory remarks about an individual's performance
- abuse of authority or power by those in positions of seniority
- unjustifiably excluding colleagues from meetings/ communications.

This policy covers harassment or bullying which occurs both in the workplace itself and in settings outside the workplace, such as business trips, events or social functions organised for or on behalf of BGEN, and on or off its premises.

Individuals who believe they are being subjected to harassment or that they are being bullied should not hesitate to use the procedure set out below.

#### [What to do if you are being bullied or harassed: informal procedure](#)

If you consider that you are being bullied or harassed and you feel able to, you should initially attempt to resolve the problem informally, explaining clearly to the person responsible that their behaviour is not welcome and that it offends you or makes you uncomfortable.

If it is not possible to resolve matters informally or, if after informal steps have been taken, the conduct continues, you should follow the formal procedure set out below.

#### [What to do if you are being bullied or harassed: formal procedure](#)

The informal procedure may not be appropriate, due to the nature of the harassment or bullying or because you do not feel able to talk directly to the person creating the problem. In these cases, or where the informal procedure has been unsuccessful, you should raise your complaint in writing with the Chair of the Board.

If you are unable to raise your complaint with the Chair of the Board as it is in relation to them, you should raise your complaint with the Vice Chair, or failing them, another member of the Trustee Board.



As a general principle, the decision to progress a complaint rests with you. However, we have a duty to protect all our volunteers, board members, and staff, and may be obliged to pursue a complaint independently if, in all the circumstances, we consider it appropriate to do so.

If you wish to make a formal complaint, you should set out full details of the unwanted conduct. These details should include the name of the harasser or bully, the nature of the harassment or bullying, the date(s) and time(s) when the harassment or bullying occurred, the names of any witnesses and any action taken so far to attempt to stop the harassment or bullying.

### Formal procedure: investigation

Complaints will be managed in a timely and confidential manner, via an independent investigation, to establish full details of what happened. Your name and the name of the alleged harasser or bully will not be divulged, other than on a 'need to know' basis to those individuals involved in the investigation. At the outset, an investigator with no prior involvement in the complaint will be appointed and a timetable will be set down and communicated to all parties. The investigation will be thorough, impartial and objective, and will be carried out with sensitivity and with due respect for the rights of all parties concerned.

Consideration will be given to whether the alleged harasser or bully should be redeployed temporarily or suspended on full pay, or whether reporting lines or other managerial arrangements should be altered pending the outcome of the investigation.

As part of the investigation, the investigator will meet with you to hear your account of events leading to your complaint. You have the right to be accompanied by a work colleague or a trade union official of your choice. The investigator will also meet with the alleged harasser or bully. It may also be necessary to interview witnesses to any of the incidents mentioned in your complaint. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised to them.

At the conclusion of the investigation, the investigator will submit a report to a trustee nominated to consider the complaint. The trustee will usually report their findings back to you within two weeks of your complaint first being reported. A copy of the investigator's report, together with the trustee's report findings will be provided to you and to the alleged harasser.

If the trustee finds that harassment or bullying has occurred, prompt action will be taken to stop the harassment or bullying immediately and prevent its recurrence. The findings will be dealt with under our disciplinary procedure. Consideration will be given to whether the harasser or bully should be



dismissed and, if not, whether they should remain in their current post, be transferred, be excluded from membership or their trusteeship. Even where a complaint is not upheld, (for example, where evidence is inconclusive), consideration will be given to how the ongoing working relationship between you and the alleged harasser or bully should be managed. This may involve, for example, arranging some form of mediation or counselling or a change in the duties or reporting lines of either party.

### Formal procedure: appeal

If you are not satisfied with the outcome of the investigation, you have the right to appeal the decision within 14 days of being notified of the outcome. You should submit your full written grounds of appeal. The person hearing your appeal will meet with you to discuss your appeal. You may be accompanied by a work colleague or a trade union official of your choice. You will be notified of the outcome of the appeal within seven days of this meeting. This is the final stage of the formal procedure.

### Protection for those making complaints or assisting with an investigation

Individuals who make complaints, or who participate in any investigation conducted under this policy in good faith, will be protected from any form of intimidation or victimisation as a result of their involvement.

Any individual who is, after investigation, found to have provided false information or to have acted in bad faith will be subject to action under our disciplinary procedure.

### Confidentiality

Confidentiality is an important part of the procedures provided under this policy. Every individual involved in the operation of the policy, whether making a complaint or involved in any investigation, is responsible for observing the high level of confidentiality that is required.

Breach of confidentiality may give rise to disciplinary action under our disciplinary procedure.