



## **Carlisle United BULLYING & HARASSMENT POLICY**

**Where reference is made to Carlisle United this covers Carlisle United, the Academy Department, not the Community Sports Trust or Carlisle United Ladies which have their own safeguarding arrangements**

### **Overview**

The Bullying and Harassment policy flows from the Club's general Equality Policy and provides more detail in this specific area.

Carlisle United is committed to encouraging and maintaining good employee relations within a working environment which fosters team working and encourages employees to give of their best. Everyone at Carlisle United has a responsibility to maintain good working relationships and not use words or deeds that may harm the wellbeing of others.

In addition to the obligations placed upon both employers and employees by the Equality Act 2010 legislation, everyone has the right to be treated with consideration, fairness, dignity and respect. This contributes to a workplace environment in which individuals feel safe and can work effectively competently and confidently.

Carlisle United has a policy that applies to all staff working within the organisation and to all employees working off the premises. It extends to include non-permanent workers such as, contractors, agency, temporary staff, consultants and any other workers. The policy, in addition, covers the behaviour of staff outside working hours which may impact upon work or working relationships.

Carlisle United has a “zero tolerance” policy and will investigate vigorously any allegations of bullying or harassment, regardless of whether the matter has been raised formally or informally.

### **Key Principles**

Carlisle United will provide and sustain a safe working environment in which everyone is treated fairly and with respect. Carlisle United will ensure that it treats everyone fairly and with respect and that it will provide access and opportunities for all members of the community to take part in, and enjoy, its activities.

Every staff member, Board member, official, spectator, fan and visiting teams an be assured of an environment in which their rights, dignity and individual worth are respected, and in particular that they are able to work and watch football in an environment without the threat of intimidation, victimisation, harassment or abuse.



Everyone carries a personal responsibility for their own behaviour and for ensuring that their conduct is in accordance with the principles set out in this policy. In addition, each person has a responsibility to report any instance of bullying or harassment which they witness or which comes to their attention. Employees have a responsibility to act as role models, pro-actively addressing instances of bullying and harassment.

Managers within the Club should also make themselves aware of their responsibility.

### **Harassment**

Harassment is defined as unwanted conduct relating to a protected characteristic that has the purpose or effect of violating a person's dignity, or which creates an intimidating or hostile, degrading, humiliating or offensive environment for that person.

Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may be, but is not limited to:

- Physical contact – ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.
- Verbal – unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language.
- Non-verbal – offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities.

### **Bullying**

Bullying is defined as a form of personal harassment involving the misuse of power, influence or position to persistently criticise, humiliate or undermine an individual.

Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- Conduct which is intimidating, physically abusive or threatening.
- Conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues.
- Humiliating an individual in front of colleagues.
- Picking on one person when there is a common problem.
- Shouting at an individual to get things done.
- Consistently undermining someone and their ability to do the job.
- Setting unrealistic targets or excessive workloads.
- "cyber bullying" i.e. bullying via e-mail. (This should be borne in mind where employees are working remotely and are managed by e-mail. Care and sensitivity should be practiced with regard to the choice of context and language).
- Setting an individual up to fail e.g. by giving inadequate instructions or unreasonable deadlines.



***Harassment and Bullying may be summarised as any behaviour that is unwanted by the person to whom it is directed. It is the impact of the behaviour rather than the intent of the perpetrator that is the determinant as to whether harassment or bullying has occurred.***

Any employee who wishes to make a complaint of harassment or bullying is encouraged to first discuss matters informally with their line manager provided that they feel able to do so.

Should the issues not be resolved at this stage, or the employee feels unable to raise the issue informally, then a formal resolution should be sought.

When a complaint of Harassment or Bullying is brought to the attention of a manager at any level, whether informally or formally, prompt action must be taken to investigate the matter. Corrective action must be taken where appropriate and this may require an investigation under the Company's Disciplinary Policy and Procedure.

If it is considered that one of the parties concerned in a harassment or bullying case should be moved from their current workplace, then as a matter of principle Carlisle United will normally remove the alleged perpetrator rather than the complainant. However, the final decision on who should be moved should reflect the particular circumstances of the case. It should be noted and explained to those concerned that the moving of either party is not an implication of guilt or culpability and no detriment to either party will be construed as a consequence.

All matters relating to the investigation of complaints of harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary actions. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses.

No employee will be victimised or suffer detriment for making a complaint of harassment or bullying and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence. Similarly, managers are required to act on any complaint of harassment or bullying. Failure to do so will be regarded as misconduct which if proven, will result in disciplinary action.

All complaints of harassment or bullying whether raised formally or informally must be notified by the recipient of the complaint to Chief Executive for recording in accordance with the requirements of the Equality and Human Rights legislation.

This legislation requires such records to be maintained and the incidence of bullying and harassment to be monitored. This policy and procedure will be reviewed periodically giving due consideration to legislative changes.



## PROCEDURE

Please refer to the Complaints Policy and Whistleblowing Policy.

### Informal Resolution

- 1.1 Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can lead to greater understanding and agreement that the behaviour will cease.
- 1.2 Complainants are therefore encouraged to try, if they feel able to do so, to resolve the problem informally by making it clear to the alleged harasser that his/her actions are unwanted and should not be repeated. This may be done verbally or in writing in which case the complainant should keep a copy of the documentation and, where possible, the times and dates of incidents should be recorded.
- 1.3 If the complainant feels unable to approach the alleged harasser, a work colleague, or Trade Union representative could be asked to speak to the alleged harasser on the complainant's behalf. A note should be made of the action taken and the matter notified to Chief Executive.
- 1.4 An individual who is made aware that their behaviour is unacceptable should: -
  - Listen carefully to the complaints and the particular concerns raised;
  - Respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation;
  - Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
  - Agree the aspects of behaviour that will change;
  - Review their general conduct/behaviour at work and with workplace colleagues.

### Formal Resolution

- 2.1 If the alleged harassment continues, the complainant feels unable or unwilling to deal with the matter informally, or the allegation is so serious as to prevent use of the informal procedure, a complaint should then be raised formally with the Club.
- 2.2 This will be dealt with in accordance with the Club's Disciplinary policy.
- 2.3 If the complaint is upheld at the disciplinary stage, there are a number of possible outcomes for the harasser, depending on the evidence presented and the circumstances. These could include, but are not limited to: -
  - Dismissal.
  - A formal warning.



- A recommendation of redeployment of the harasser, either on a temporary or a permanent basis. This will not be on any less favourable terms and conditions of employment.
  - Implementation of other sanctions as detailed in the Carlisle United Disciplinary Policy.
  - Making arrangements for both parties to work as separately as possible within the same workplace.
- 2.4 In addition to the above, the harasser may be required to attend any training courses as deemed necessary by the Club.
- 2.5 It should also be noted that the complainant may wish to move Department/section depending upon the nature of the complaint and the people involved. Appropriate consideration should be given to this request and the outcome with reasons provided to the complainant.
- 2.6 With any allegation, the need for a thorough and objective investigation is paramount. Consequently, if through the course of the investigation evidence demonstrates that the allegation has been made frivolously, maliciously, or for personal gain, then the individual making the complaint could be subject to Disciplinary proceedings.

### **Appeals**

Appeals against decisions taken under this Bullying and Harassment Policy and procedure shall be dealt with as follows: -

- Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure.
- Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Grievance Policy.

### **Records**

Where the complaint is informal and resolved at this stage, no record will be kept on personal files.

Following formal investigation, where the complaint is not substantiated, no records will be retained.

Where a complaint is substantiated or partially substantiated but does not proceed to disciplinary, a letter confirming the outcome will be retained on the personal file and supporting documentation retained in a separate file for a period of 12 months.

Where the matter proceeds to a disciplinary hearing then the storage of records should be in accordance with the disciplinary procedure.



## Review

This Policy will be kept up to date, particularly as the Club changes in nature and size and new requirements emerge.

To ensure this, the Policy, and the way it is implemented, will be reassessed and amended on an ongoing basis and reviewed annual basis will be as follows:

- Safeguarding issues will be considered as agenda items and discussed at the:
  - Safeguarding Working Group meetings
  - Academy Management Team meeting and Technical Board meetings
- The Policy will be reassessed and amended on an ongoing basis by the CEO in consultation with the Safeguarding Working Group
- The 1921 Board will:
  - include Safeguarding as an agenda item and feature in the Board Report
  - conduct an annual review of the Policy as part of the annual review
  - publish the Policy on its website
- The Holdings Board will ensure the 1921 Board undertakes its role as stated

## Safeguarding contacts

Remember that in an emergency or where there is risk to life you should contact the police immediately.

If you have concerns you wish to raise with the Club please contact:

- Senior Safeguarding Manager Nigel Clibbens [nigel.clibbens@carlisleunited.co.uk](mailto:nigel.clibbens@carlisleunited.co.uk)
- Designated Safeguarding Officer David Wilkes [dave.wilkes@carlisleunited.co.uk](mailto:dave.wilkes@carlisleunited.co.uk)  
07940483680
- Matchday Safeguarding Officer Sarah McKnight [sarah.mcknight@carlisleunited.co.uk](mailto:sarah.mcknight@carlisleunited.co.uk)  
0330 094 5930

## Other Safeguarding contacts in football:

Whilst any safeguarding concern should be raised with the Club Safeguarding contacts in the first instance we recognise that this may not always be possible or appropriate. Below are the contact details for footballing partners with whom safeguarding concerns in relation to the Club can be discussed:

### The English Football League Safeguarding Team

Tel: 01772 325940 Email: [safeguarding@efl.com](mailto:safeguarding@efl.com)

If they concern regards a person in employed in footballs conduct towards a child:

### The FA Safeguarding Team

Tel: 0800 169 1863 Email: [Safeguarding@TheFA.com](mailto:Safeguarding@TheFA.com)



## Mental health

Negative experiences and distressing life events, such as the current circumstances, can affect the mental health of us all. Players and staff who are struggling under the current circumstances should contact the Club safeguarding staff as outlined above. Support can also be accessed through a number of national organisations including:

- The Samaritans Tel: 116 123 <https://www.samaritans.org>
- ChildLine: Tel: 0800 1111 <https://www.childline.org.uk>
- NSPCC: Tel: 0808 800 5000 <https://www.nspcc.org.uk>
- Mind: Tel: 0300 123 3393 <https://www.mind.org.uk>
- PFA: Tel: 07500 000 777 <https://www.thepfa.com/wellbeing>

## Online safety:

It is important that both players and parents are aware of the help and support available should they be concerned about something they have seen or experienced online. These include

- UK Safer Internet Centre <https://reportharmfulcontent.com/>
- CEOP <https://www.ceop.police.uk/safety-centre/>
- Internet Matters <https://www.internetmatters.org/>
- NetAware <https://www.net-aware.org.uk/>
- ParentInfo <https://parentinfo.org/>
- ThinkuKnow <https://www.thinkuknow.co.uk/>

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