

Association of British Neurologists

Bullying and harassment policy Nov 2022

Introduction

The Association of British Neurologists (ABN) is committed to providing an environment that is safe and enjoyable for all. Bullying and harassment within an organisation creates an unsafe environment; results in a loss of trained and talented staff and members; causes the breakdown of teams and individual relationships; increases absenteeism; and reduces efficiency, productivity and engagement. People who are bullied or harassed can become distressed, anxious, withdrawn, lose self-esteem and confidence in themselves.

The ABN has zero tolerance of bullying and harassment. We take any such complaints seriously and will investigate all allegations made. Anyone found to have breached this policy will be dealt with under the appropriate procedure, which could lead to membership expulsion or employee dismissal from the ABN.

Who is this policy for?

This Policy applies to all members (and non-members attending ABN events), employees and volunteers in respect of behaviour that occurs:

- At an ABN employee's place of work
- Outside of an employee's place of work if the employee is engaged in ABN related activity
- During/in connection with ABN activities, events and related events even if it occurs outside normal working hours (members and employees).

This policy **may not** apply to behavior that occurs outside of this framework, for example in a member's place of work where the member organization's code of conduct and policies may apply. It does not form part of an employee's contract of employment but does form part of the ABN's articles and rules.

What is bullying?

Bullying is offensive, intimidating, malicious or insulting behaviour, which may involve the misuse of power and could make someone feel; vulnerable, undermined, threatened, humiliated or upset. Bullying can take the form of physical, verbal and non-verbal conduct. It can take place via any channel of communication including face to face, virtual, email, messaging and social media and can take different forms.

Examples include:

- Shouting at or humiliating someone
- Picking on someone or conduct which attacks someone's character or reputation
- Ridiculing or consistently undermining someone
- Looks or gestures or excluding someone from group activities

- Sending malicious e-mails or texts or using social media to spread rumours or untruths
- Abuse of power or position
- Preventing an employee from progressing by blocking promotion
- Withholding training opportunities from an employee
- Setting unrealistic tasks, objectives or timelines

ABN will not tolerate any form of workplace violence or violence at its events or activities. Any incident where a person is physically attacked or threatened represents violence and includes, but is not limited to:

- Direct physical contact such as pushing, tripping, punching, spitting or blocking someone's way
- Any form of unwanted physical contact

What is harassment?

Harassment is unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. Where such conduct occurs towards a person in relation to protected characteristics under the Equality Act 2010, it may be unlawful. Below are the protected characteristics relevant to harassment (marriage is not protected by the law on harassment and pregnancy/maternity is dealt with via laws on direct discrimination):

- Race
- Gender
- Age
- Sexual Orientation
- Gender Reassignment
- Disability
- Religion or belief

Harassment can be in the form of a single incident or repeated behaviour. A person does not need to have previously objected to something for it to be considered unwanted. **Examples include:**

- Using insulting or abusive gestures/language
- Subtle micro-aggressions/behaviours; these may occur when biases against marginalised groups reveal themselves in a way that leaves the other person feeling uncomfortable, threatened or insulted. Most often unintentional but sometimes deliberate (for example, a man assuming a woman is not strong enough, physically or emotionally, to do something)
- Physical behaviour towards a person or property
- Sexual harassment, including making sexual comments or touching someone inappropriately against their will, sexually suggestive innuendos
- Insulting or ridiculing someone, for example, questions related to protected characteristics
- Making jokes or inappropriate remarks about someone
- Banter and mimicry

- Displaying or circulating offensive material (e.g. sexist or racist material), including images and graffiti
- Sending abusive or offensive e-mails or texts

What is not bullying or harassment?

Reasonable requests made in relation to ABN events and activities, **for example:**

- Challenging remarks made by a member
- Asking a member to bring their contribution to a meeting to an end
- Requesting that a member moderates their language or behaviour

Reasonable management action taken by managers or supervisors to direct and control the way work is carried out if the action is taken in a reasonable and lawful way, **for example:**

- Realistic and achievable performance goals, standards and deadlines
- Deciding not to select an employee for promotion where a fair and transparent process is followed
- Informing an employee about unsatisfactory work performance in an honest, fair and constructive way

NB. The examples of what is and what is not bullying and harassment are not exhaustive. If you are unsure about a particular behaviour you should discuss it with colleagues, your manager or Chief Executive Officer (CEO).

Roles

Managers, Council and Committee Members

Managers, Council and committee members have an important role in setting an example and fostering a culture that does not tolerate or encourage harassment, bullying or violence; they should ensure that they do not engage in any conduct of this nature themselves.

Managers, Council and committee members should also ensure that employees and members understand this policy and the consequences of non-compliance. When managers, council and committee members observe harassment, bullying or violence occurring, they should take steps to prevent the conduct from continuing and warn those involved of the consequences if the behaviour continues.

Managers, Council and committee members must take all observed behaviours, complaints and allegations seriously and ensure that they are dealt with appropriately.

Employees and members

ABN expects its employees and members:

- Not to engage in bullying or harassment
- Not to aid or encourage others to engage in bullying or harassment
- To behave in a responsible and professional manner
- Treat others with courtesy and respect
- Listen and respond appropriately to the concerns and views of others
- Be fair and honest in their dealings with others
- Report any observed instances of bullying or harassment

Where an employee or member sees or think they see bullying, harassment or violence taking place they are encouraged to adopt the role of **active bystander** and call the person in or out as shown in [appendix one](#).

Are you experiencing bullying or harassment?

Complaints of bullying or harassment will be taken seriously. Complainants will be dealt with respectfully and with empathy. Complaints will be dealt with confidentially except where it is necessary to disclose information to properly deal with the complaint or for safeguarding reasons.

Complainants will not be victimized or treated unfairly as a result of making a complaint. Any allegations of victimization will be investigated, a zero-tolerance approach exists for any form of victimization direct or indirect. Complaints will be handled via the following steps.

Step one Notify the ABN of your complaint via CEO or ABN President. Alternatively, **as a member of staff**, you may wish to talk to your line manager or the CEO. Regardless of the route taken, the matter will first be discussed informally with you. It may be resolved at this point, or you may wish to proceed to step two.
Timeline: normally within 3 months of the incident

Step two The CEO or President formally considers the complaint and responds to the complainant, with an agreed course of action, which may or may not include step three.
Timeline: normally within 2 weeks of above notification

Step three The incident is considered by a panel of three people drawn from Council and EDI Committee convened specifically for this purpose. They will agree a course of action, including but not limited to:

- Complaint upheld - Perpetrator warned and instructed to cease and desist
- Matter dismissed, no case to answer
- Decision to involve third party external agency to help resolve the issue

- Formal proceedings started against the perpetrator in line with the ABN's Articles and rules or the staff disciplinary procedure

Timeline: completed within 4 weeks of Step 2

Step four The complainant may ask for a review of the outcome but not of any sanction imposed; requests for review should be made in writing to ABN President or CEO. The perpetrator may ask for a review of the outcome and of any sanction imposed. The review will be conducted by an independent person (usually a Lay Trustee). Their decision is final.

Timeline: a request for review from either complainant or perpetrator should be made within 4 weeks of outcome notification. The review will be completed within 4 weeks of such a request.

Third Party Complaints Procedure

Complaints made by third parties (i.e. not ABN members or employee/volunteers) should be submitted in writing to the ABN president or CEO normally within 3 months at most of the incident. Such complaints will be considered by the ABN Executive to decide how to handle the complaint.

Support for complainants

The ABN do not provide specific support for complainants other than dealing with the complaint as outlined above, as it considers such support would be best via unconnected organisations (e.g. general practitioner, NHS or other mental health services or counselling organization).

Conflict of Interest

There may be situations where a conflict of interest arises, for example, where the complaint is against the CEO or the President of the Association. We will still treat these cases following the standard process, with a view of mitigating the conflict of interest. In most cases, it will be obvious how conflict of interest can be avoided. In others, advice will be sought from the immediate Past President.

Related policies, procedures and statements

- **ABN Code of Conduct ([appendix two](#))**
- **ABN Articles and rules**
- **Staff related/specific procedures**
- **Information policy (check we have this)**

Disclaimer

The obligations on ABN that this policy imposes (i.e. those additional to those set out under legislation) are not contractual and do not give rise to any contractual rights. To the extent that this policy describes benefits and entitlements for employees (i.e. those additional to those set out under legislation), they are discretionary in nature and are not intended to be contractual. The terms and conditions of employment that are intended to be contractual are set out in an employee's written employment contract.

ABN may unilaterally introduce, vary, remove or replace this policy at any time.

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Appendix one

On being an active bystander

An active bystander is someone who is not prepared to stand by and watch things that they think are wrong take place. It may be about the words they hear or the actions that they see, either way they are willing to stand up in one form or another for what they believe is right. We can all be active bystanders but sometimes the thought of doing so can be a little scary.

Starting a conversation (with kindness)

In addition to recognising that it is probably the start of a conversation, there are five key things to remember:

- Focus on impact rather than intent
- Be as factual as possible
- Be specific
- Stay calm
- Use your judgement to decide the appropriate time to intervene but do not miss your moment
- We can call people in rather than call them out

A simple three-part form of words can be adapted and used in most situations to get the conversation underway:

1. When you *describe what the other person has done or said*
2. I felt *describe how you felt or feel*
3. Because *explain why you feel or felt that way (if appropriate)*

For example: “**When you** asked the team for feedback and ignored my contribution **I felt** belittled **because** it suggested that my views were not worth considering and had no value”.

When we call people in we don't directly challenge what was said or done but we do invite the other person to question their words and actions. Calling in is done in the spirit of friendship. **For example**, “What was that all about? It seemed a bit out of character for you”.

Hearing what's being said (ouch)

It can be uncomfortable to be told that we have caused offense. However, regardless of whether we can engage in a conversation at the time or need to think things through we can:

- Say thank you
- Apologise
- Remain teachable (take the learning)
- Ask the person what they would like to happen next

We can then consider the situation from the other person's point of view and decide if there is anything more that we need or want to do.

Not just here for the nasty things in life

We can also let people know that they have had a positive impact on us. Receiving positive feedback can turn a bad day into a good day and a good day into a great day.

I've done my best but.....

There will be times when we cannot see the other person's point of view and do not know what to do next. If this is the case we can take the time to talk in confidence to a colleague.

Appendix two

ABN Code of Conduct

This is relevant to all staff and members of the ABN; non-members of the ABN attending ABN events and committees are expected to abide by this code of conduct.

The ABN expects everyone to treat others with respect and dignity to allow a supportive and safe environment for all, including when engaged in ABN business or taking part in ABN activities. This code refers to all forms of communication and interaction, whether face to face, virtual, verbal, written, and including social media.

Within the ABN, we believe that:

- No one should be subjected to bullying, harassment, discrimination or victimisation*
- All ABN members and employees should understand our expectations of their behaviour
- Everyone should feel able to report allegations, suspicions or concerns about such behaviours
- Anyone within the ABN who experiences, witnesses, and reports such behaviours will receive appropriate support.

*Discrimination and victimisation are defined and explained under the [Equality Act 2010](#)

To achieve the above, the ABN expects everyone to:

- Treat others with respect and consideration
- Recognise and value diversity and individual differences
- Behave with integrity, honesty, kindness and patience
- Promote a fair culture based on trust
- Respect boundaries and accept that they are different for everyone
- Ensure the expression of personal beliefs is tactful and professional, and does not compromise the right of other individuals to feel safe and respected
- Keep physical contact safe and socially appropriate.

Other references

Association of Chief Executives of Voluntary Organizations

<https://www.acevo.org.uk/about/code-of-conduct/>

The General Medical Council <https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/good-medical-practice>

The Royal College of Physicians <https://www.rcplondon.ac.uk/code-conduct>