



BIRMINGHAM FESTIVAL CHORAL SOCIETY

First Concert 1845

www.bfcs.org.uk

President:
THE LORD MAYOR OF
BIRMINGHAM

Patrons:
DAVID LAWRENCE
ELIS PEHKONEN

Music Director:
DAVID WYNNE

Registered Charity No. 510847

HARASSMENT AND BULLYING POLICY

Statement of intent

1. Everyone in BFCS is working together to create a community where harassment or bullying in any form and of any description will not be tolerated.
2. As part of its overall Equal Opportunities Policy BFCS is committed to offering equality of opportunity to anyone wishing to join in its activities or enjoy its concert performances, irrespective of age; disability (see Appendix A); gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.
3. BFCS is committed to ensuring that all members are treated with dignity, fairness and respect.
4. The Committee is committed to creating an environment for positive relationships.
5. This policy is concerned with the prevention of harassment and bullying and aims to provide a means of challenging unreasonable or unjustifiable behaviour.
6. Harassment and bullying will not be permitted or condoned by the Committee.

To whom does this policy apply?

7. All members of BFCS and professional musicians providing a service to BFCS have a responsibility to comply with this policy. The Committee has a particular responsibility to implement it by creating a good environment and by dealing with people in a caring manner.

Definition of harassment and bullying

8. Harassment and bullying are characterised as aggressive, intimidating, malicious, offensive or insulting behaviour or abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
9. Examples of harassment and bullying include but are not limited to:
 - a. displays of rage at a fellow member in public and/or in private
 - b. personal insults and name-calling
 - c. verbal abuse or offensive comments, jokes or pranks
 - d. persistent unjust criticism and public humiliation
 - e. spreading malicious rumours
 - f. ridiculing or demeaning someone
 - g. victimisation
 - h. lewd or suggestive comments
 - i. unwelcome sexual advances
 - j. inappropriate touching
 - k. physical abuse such as hitting, pushing or jostling
 - l. displaying offensive materials
10. It is important to realise that conduct which one person may find acceptable another may find totally unacceptable. Therefore, members must be treated with respect and appropriate sensitivity.

How to complain about harassment or bullying

11. The Committee will ensure that any allegations of harassment or bullying are considered seriously and confidentially. Lack of confidentiality can harm both the complainant and also the person accused. The Committee recognises that members may fear victimisation for making or being involved in a complaint and so is committed to ensure complainants do not suffer.
12. Complaints of harassment or bullying should be pursued in the following way:

12.1. The complainant is encouraged to make clear to the person who they believe is harassing or bullying them that the behaviour is unwelcome and must be stopped. If the complainant does not feel able to do this alone they should approach the Chair or Vice Chair who will arrange for someone to support the complainant. As it may not be possible to resolve the matter informally in this way, the complainant may find it helpful to keep records of incidents of behaviour which they consider to be harassment or bullying, noting the date and time of the incident and details of any witnesses. Such records can be helpful in describing the problem and may also be used if any formal action is subsequently taken. It is not expected, however, that such records would be kept for extended periods without the complainant's concerns being raised through the process described in paragraph 12.2.

12.2. Should the behaviour continue the complainant should approach the Chair or Vice Chair within 15 days of the incident. Such approach may be made in person, in writing or by e-mail.

13. The Chair or Vice Chair will arrange to meet both parties within a period of 15 days and try to resolve the issue informally.
14. If the matter cannot be resolved informally, the Committee will initiate a formal investigation to be carried out by a Committee member or members. This investigation should begin no more than 15 days after the end of the period referenced in paragraph 13 above.
15. Following the investigation referred to in paragraph 14 the investigating Committee member or members will reach their conclusions and decide on the way forward.
16. If the investigating Committee member or members conclude that harassment or bullying has taken place they will decide whether the offender can remain as a member of BFCS with or without conditions or whether they should be refused ongoing membership.
17. The decision of the investigating Committee member or members will be confirmed in writing to the complainant and the person against whom the allegation has been made.
18. Either party can appeal against the investigating Committee member or members' decision to an appeals panel appointed by the Committee if they can demonstrate a substantive reason for an appeal. The appeals panel will not include the investigating Committee members. Appeals must be lodged in writing within two weeks of receipt of the letter confirming the decision. The decision of the appeals panel is final.

Responsibilities of BFCS members

19. The Committee requires all BFCS members to maintain a high standard of conduct in relationships with other members and people providing a service to BFCS.
20. This policy further requires all BFCS members to act to eliminate any harassment or bullying of which they are aware.
21. Harassment or bullying of any kind should not be dismissed by BFCS members as trivial or insignificant, as a matter of interest only to a minority or as behaviour that can be excused as fun or a joke.
22. The Committee will not tolerate intimidation, victimisation, retaliation or discrimination against an individual for filing a complaint or assisting in an investigation, whether or not the complaint is upheld. Where such action is alleged, the matter will be dealt with in the same way as an allegation of harassment or bullying.
23. False or malicious complaints of harassment or bullying will not be condoned. In that instance the Committee will decide whether the complainant can remain as a member of BFCS with or without conditions or whether they should be refused ongoing membership.

Action Plan in the event of a Singing Member developing a cognitive, mental or physical condition

If a Singing Member of the choir has a cognitive, mental or physical condition that may be

- i. a danger to themselves or others and / or
- ii. harmful to the functioning of the choir

then the procedures below will be followed:-

1. Stage One: Identification Condition is noticeable but manageable
The Committee and other key persons (including the Equal Opportunities Representative and the Safeguarding Officer) who need to know, will be informed. Given the sensitivity of the issue this will be treated as a confidential matter.
2. The Safeguarding Officer will be responsible for ensuring that a plan is put in place to manage the issue and support the person. This may include informing appropriate members of the choir e.g. Stage Manager, who need to be aware of the issue and / or asking members of the choir including, possibly, singers who sit / stand next to the person, to support the said person to allow them to continue singing in the choir.
3. The Safeguarding Officer will keep a confidential record of the issue and the actions taken to support the person. The Committee will be informed of the action taken and be updated on an annual basis.
4. Stage Two: Deterioration The person is formally classified as an Adult at Risk and will need to be accompanied at all times by a responsible adult (see BFCS Safeguarding Policy). The Safeguarding Officer will:-
 - a. ensure that arrangements are in place for the person to be accompanied at all times
 - b. keep a watching brief for any changes or deterioration
 - c. endeavour to give further support where possible and practical.
5. Stage Three: Major Loss of Functionality If the person's condition develops to the point where:-
 - a. the functioning of the choir is being harmed by their actions / behaviours and / or
 - b. the person has become a danger to others and / or
 - c. the person has become a significant danger to themselves,the Committee, in conjunction with the Safeguarding Officer and Equal Opportunities Representative will make a decision as to whether the person can remain in the choir or not. If it is decided that the person cannot remain in the choir the Chair and the Membership Secretary will inform the member with their nominated responsible adult present.