



## CODE OF CONDUCT

### BULLYING & HARASSMENT POLICY

#### **Our Commitment**

Everyone involved with Mull Museum (whether employees, contractors, the committee, volunteers, members, visitors or other third parties) can expect to be treated with dignity and respect so they can enjoy the environment in which they are spending time.

Bullying and harassment of any kind are in nobody's interest and will not be tolerated. This includes bullying and harassment of staff, volunteers or the committee by employees, contractors, the committee, museum members, museum visitors or third parties.

#### **Anti-Harassment**

Bullying and harassment can be in person or via telephone, email, instant messaging, text, video calls or online e.g. posting comments on social media (including personal social media accounts). It can take place in a public or private place. Whatever form it takes, it is unwarranted and unwelcome to the individual on the receiving end.

Some harassment is unlawful discrimination and serious harassment may be a criminal offence.

#### **Definitions**

**The museum** refers to the Mull Museum's building, equipment, collections and archive.

**Bullying** is offensive, intimidating, malicious or insulting behaviour, and/or an abuse or misuse of power that undermines, humiliates or injures the person on the receiving end. It may be by an individual against an individual or involve groups of people, and can be obvious or insidious.

Examples of bullying/harassing behaviour include but are not limited to:

- deliberately or consistently overloading someone with work;
- making constant criticisms without justification;
- demanding access to the museum outside working hours or without complying with the museum's procedures relating to access;
- persistent unreasonable communication (including outside working hours);
- spreading rumours (indirect bullying);

- ridiculing or demeaning someone, including picking on them or setting them up to fail;
- excluding someone or victimising them including aggressive behaviour or making threats.

**Harassment** is unwanted conduct where comments or actions are viewed as demeaning and unacceptable to the recipient in relation to protected characteristics - sex, gender reassignment (i.e. transgender status), race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief, age or any other personal characteristic of the individual that:

- has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person; or
- is reasonably considered by that person to have the effect of violating their dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them, even if this effect was not intended by the person responsible for the conduct.

Examples of harassment include:

- physical conduct ranging from unwelcome jokes/comments of a sexual nature to touching, sexual advances or serious assault;
- demeaning comments or unwelcome jokes about a person's appearance, gender, age, race, religion/belief, sexual orientation or disability.
- treating a person differently because they are associated or connected with someone with a protected characteristic, e.g. their child is gay, their spouse is black or their parent is disabled;
- ignoring a person because they are perceived to have a protected characteristic (whether or not they have that protected characteristic), e.g. an employee is thought to be Jewish, or is perceived to be transgender;
- asking questions or making comments that may indicate a bias (often referred to as micro-aggressions), e.g. persistent questions about where someone comes from.

Conduct may be harassment whether or not the person behaving in that way intends to offend. Something intended as a "joke" may offend another person. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others. Behaviour that any reasonable person would know is likely to offend will be harassment without the recipient having to make it clear in advance that it is unacceptable, e.g. sexual touching. It may not be so clear that some other forms of behaviour would be unwelcome to, or could offend another person, e.g. certain "banter", flirting or asking someone for a private drink after work. In these cases, first-time conduct that unintentionally causes offence will not be harassment but it will become harassment if the conduct continues after the recipient has made it clear, by words or conduct, that such behaviour is unacceptable to them.

Sexual conduct that is consensual, mutual and invited is not harassment. However, the conduct may become unwanted (for example, where a sexual relationship ends) and, if it

continues, will amount to harassment. A single incident can be harassment if it is sufficiently serious.

## **Recognising Bullying & Harassment**

Sometimes bullying and harassment can be hard to recognise and may not be obvious to others. People being bullied or harassed may sometimes appear to over-react to something that seems relatively trivial but which may be the “last straw” following a series of incidents. Feelings of anger and frustration may be triggered, or alternatively emotions such as anxiety and fear. This can lead to stress, loss of confidence and self-esteem, demotivation and even illness.

## **What to Do if You Believe You Have Been Bullied or Harassed**

We encourage anyone who believes that they have been bullied, harassed or victimised to come forward and share their experiences and concerns with us.

If appropriate, the matter may be dealt with informally. The person may not know that their behaviour is unwelcome or upsetting and an informal discussion can lead to greater understanding and an agreement that the behaviour will cease.

If an informal approach does not resolve matters, or in more serious or persistent cases of bullying and harassment, you can invoke the grievance procedure (employees) or make a complaint to a member of the committee or the chairman.

All incidences of bullying or harassment should be recorded in the day book, detailing the date and time of the occurrence, the nature of the situation and person(s) involved and reported to the committee or chairman. If there are witnesses, then the name and contact details of that person should be provided in case a witness statement is needed.

## **How We Respond to Complaints of Bullying or Harassment**

All complaints relating to bullying and harassment will be recorded and acknowledged. Complaints will be investigated by the person receiving the complaint (and if serious or persistent, will be escalated to the committee or chairman for investigation) in a sensitive and confidential manner. A copy of any supporting evidence (if available) including emails, instant messaging, texts and social media posts or relevant entries in the day book should be provided to support the investigation. If appropriate, disciplinary proceedings or sanctions will be brought against the alleged bully/harasser including:

- Disciplinary action (if involving an employee).
- Termination of volunteer status (if involving a volunteer).
- Termination of membership of Mull Museum (if involving a member, including those with honorary membership).  
Being barred from the museum.

We will keep in touch with anyone making a complaint on the progress of the investigation. The conclusion and action taken to rectify the complaint will be communicated to them in writing subject to meeting data protection requirements.

You have a right not to be victimised for making a complaint in good faith, even if the complaint is not upheld. However, making a complaint that you know to be untrue may lead to the disciplinary action/sanctions described above.

Serious misconduct will be notified to the Office of the Scottish Charities Regulator.