

Burnside & Vinery Allotment Society - Behaviour Policy

The Society is committed to treating everyone with the same attention, courtesy and respect regardless of their age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex or sexual orientation. The Society expects that its Tenants will do the same. Breaches of this policy may be dealt with under the Grievance Procedure.

Acceptable behaviour

The Society expects that all Tenants will conduct themselves in an appropriate manner when interacting with fellow-Tenants and members of the Committee. All Tenants should consider their own behaviour and the impact that this can have on others. The Society recognises that personalities, characters and plot-management styles may differ but, notwithstanding these differences, as a minimum standard all Tenants are expected to:

- Work co-operatively with others to iron out any differences, without involving the Site Managers or Committee wherever possible;
- Consider other people's perspectives in order to promote collaboration and a peaceful environment; and
- Endeavour to establish good working relationships with fellow Tenants.

Unacceptable behaviour

Unacceptable behaviour (including bullying, harassment and victimisation), may involve actions, words or physical gestures that could reasonably be perceived to be the cause of another person's distress or discomfort. Bullying or harassment may be by an individual against an individual, or involve groups of people.

The Society defines behaviour as being unacceptable if:

- It is unwanted by the recipient;
- It has the purpose or effect of violating the recipient's dignity and/or creating an intimidating, hostile, degrading, humiliating, unnecessarily uncomfortable or offensive environment; and
- Having regard to all the circumstances, including the recipient's perception, it was reasonable to believe the behaviour would have that effect.

Unacceptable behaviour does not have to be face-to-face, and may take many forms such as written, telephone, or email communications, or through use of social media.

If a third party who is not a Tenant behaves in an unacceptable manner on the plots, this will be considered to be unacceptable behaviour on the part of the Tenant who invited that person onto the plots.

Some examples of unacceptable behaviour are:

- Aggressive or abusive behaviour, such as shouting or personal insults;
- Spreading malicious rumours or gossip, making unfounded allegations, or insulting someone or a group of people;

- Discrimination or harassment when related to a protected characteristic under the Equality Act 2010;
- Unwanted physical contact;
- Stalking;
- Offensive comments/jokes or body language;
- Publishing, circulating or displaying pornographic, racist, sexually suggestive or otherwise offensive material or pictures;
- Persistent and unreasonable criticism;
- Unwarranted, offensive, frequent and/or uninvited communications on or off the plots;
- Unreasonable demands;
- Coercion, such as pressure to subscribe to a particular political or religious belief; and
- Theft.

Bullying and Harassment

Unacceptable behaviour may contravene equalities and/or other legislation.

Whilst bullying and harassment will always be deemed to be forms of unacceptable behaviour, the two terms have distinct and separate legal meanings.

Harassment is connected to anti-discrimination legislation. Therefore if an individual is on the receiving end of unacceptable behaviour which relates to their sex, race, sexual orientation, age, disability, religion or belief or gender reassignment (collectively known as 'the protected characteristics'), this will be deemed to be harassment. Harassment may be established from a single event, and a series or pattern of behaviour is not necessary in order to establish that an individual has suffered harassment. Harassment, as defined in the Equality Act 2010, is unwanted conduct related to a relevant protected characteristic which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Individuals are also protected from harassment based on someone else's protected characteristic, or based on the perception that they have a protected characteristic.

Bullying is a broader concept which may generally be characterised as: offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient (the definition used by ACAS).

For bullying to be established, there will generally be a series of pattern of events in which one individual has demonstrated unacceptable behaviour towards another individual.

With regards to both harassment and bullying, the unacceptable behaviour may be overt (for example, verbal abuse/threats/physical violence) or it may be more subtle and insidious. Harassment and bullying both constitute unacceptable behaviour.

What does not constitute Unacceptable Behaviour?

For the avoidance of doubt and for the purposes of this policy, invoking Society procedures (for example, the Grievance Procedure), where such procedures are applied reasonably and appropriately, will not constitute unacceptable behaviour.

It is important to note that behaviour that is considered bullying by one person may be considered acceptable by another.

Criminal offences

Some forms of unacceptable behaviour may be serious enough to constitute a criminal offence.

If the Committee becomes aware that a Tenant has (or may have) committed an offence, the Committee may report its concerns to the police or other authorities, as appropriate.

Where matters are reported to the police, whether by an individual or by the Committee, the Grievance Procedure may still take place, whether or not the police decide to proceed. However, in some cases there may have to be a delay whilst police investigations are carried out.

Breaches of this policy

Breaches of this policy should be reported to the Committee in writing (or by email) and will be dealt with as a grievance under the Grievance Procedure.

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