



EQUAL OPPORTUNITIES POLICY

The following document sets out The BFHS's policy on equal opportunities.

The BFHS is committed to a policy of treating all their members equally. No individual or group shall receive less favourable treatment or consideration on the grounds of race, colour, religion, nationality, ethnic origin, sexual orientation, gender, age, disability, marital status or part-time status or will be disadvantaged by any conditions of environment that cannot be justified as necessary on operational grounds.

It is The BFHS's intention that this Equal Opportunities Policy shall extend to and be applied to all students, instructors, suppliers, sub contractors and all other third parties who deal with, are members of or work for the BFHS in the course of the BFHS's business.

British Federation of Historical Swordplay

213 Queens Park Road
Brighton BN2 9ZA

Tel: +44 (0) 1273 685664

Email: president@bfhs.co.uk

www.bfhs.org

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POLICY STATEMENT

There should be no discrimination on account of race, colour, religion, ethnic origin, sexual orientation, gender, age, disability, nationality or marital status.

The BFHS will appoint/elect and promote on the basis of merit and ability.

All individual BFHS membership groups have responsibility for the practical application of this Equal Opportunities Policy, which extends to the treatment of all their members.

Special responsibility for the practicable application of the policy falls upon the BFHS Executive and the group representatives involved in the recruitment (where applicable), promotion and training of individuals or those involved in establishing or maintaining relationships with students and other third parties.

The BFHS's Grievance Procedure is available to any individual who believes that he or she may have been discriminated against. The Harassment Complaints Procedure set out in this policy is available to any individual who believes that he or she may have been harassed. Individuals will not be victimised in anyway for making such a complaint in good faith. Complaints of this nature will be dealt with seriously, in confidence and swiftly.

If an individual or other third party believes that they may have been discriminated against they should notify their group representative immediately, or if this is not appropriate, The President, Secretary or Treasurer of the BFHS.

Disciplinary action will be taken against any individual who is found to have committed an act of unlawful discrimination. Serious breaches of this policy and serious incidents of harassment will be treated as gross misconduct. Allegations of discrimination, which are not made in good faith, will also be considered as a disciplinary matter. Confidential records of ongoing matters dealt with in accordance with this policy will be kept securely by executive.

In the case of any doubt or concern about the application of this policy in any particular instance, consult the BFHS.

The BFHS will keep under review this Equal Opportunities Policy, and all procedures and practices on equal opportunities. Such a review will be carried out whenever it is considered appropriate to do so, but at least once a year and in line with any statutory changes.



Objectives

The BFHS has introduced this Equal Opportunities Policy. The BFHS regards this as a commitment to provide a healthy environment, which will encourage good and productive operations within the organisation and with its membership, visitors to events, suppliers and other third parties. This code of practice describes how the policy is to be applied throughout The BFHS.

The BFHS is particularly concerned that equality of opportunity is maintained in the following areas:

- 1 Election of the executive**
- 2 Training within membership groups and at BFHS organised events**
- 3 Benefits of membership**
- 4 Qualifications**
- 5 Grievance and disciplinary procedures**
- 6 Relationships with suppliers, sub contractors and other third parties who The BFHS deal with in the course of its operation**

Code of practice

A copy of this policy is available on the BFHS web site (www.bfhs.org) and is issued to all new membership groups.

BFHS will ensure that all group representatives with the responsibility for any of the areas of particular concern listed under 'Objectives' above and will be provided with the appropriate equal opportunities training where necessary. Up-to-date literature on equal opportunities is always available from the Executive.

1 Election of the Executive

The following principles should apply whenever election for positions takes place:

- Individuals will be assessed according to their personal capability to carry out a given post.
- Assumptions that only certain types of individual will be able to perform certain types of work must not be made.
- Any qualifications or requirements applied to a post which have or may have the effect of inhibiting applications from certain types of person should only be retained if they can be justified in terms of the work to be done



- Any age limits applied to a post should only be retained if they can be justified in terms of the post to be done.
- Election solely or primarily by word of mouth should be avoided if its effect is or may be to prevent certain types of individual from applying.
- Selection should be specifically related to post requirements and should measure the individual's actual or inherent ability to do or train for the work.
- Election should be reviewed regularly to ensure they remain relevant and free from any unjustifiable bias, either in content or in scoring mechanism.
- Applications from different types of individual should be processed in the same way.
- Questions should relate to the requirements of the post; if it is necessary to assess whether personal circumstances may affect post performance, this should be done objectively without questions or assumptions being made which are based on stereotyped beliefs about certain types of individual.
- Where The BFHS's arrangements for election put disabled people at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or if that is not reasonably practicable, reduce the disadvantage unless objectively justified.
- No nominations and voting regarding election should be made by a individual who has not read and understood this policy.

2 Training within member groups and at a BFHS organised or sponsored event

The following principles should apply.

- Assessment criteria and appraisal methods should be carefully examined to ensure that they are not unlawfully discriminatory.
- Assessment criteria and appraisal methods should be monitored and, where such criteria or schemes result in predominant students and instructors gaining access to promotion, transfer or training, they will be examined to make sure this is not due to any hidden or indirect discrimination.
- Training development patterns will be monitored to ensure that access to development training opportunities for particular students/instructors are not unjustifiably being excluded.
- Traditional qualifications and requirements for promotion, transfer and training, such as length of service, and age, which may discriminate against certain students/instructors shall be reviewed and will only continue to be applied if genuinely justified.



- Policies and practices regarding selection for training and personal development should not result in an imbalance in training between students/instructors unless this is objectively justified.
- Where The BFHS's arrangements in relation to promotion, training and exhibitions put disabled members or third parties at a substantial disadvantage for a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless objectively justified.

3 Benefits of membership

The following principles shall apply:

Benefits available to members should be reviewed regularly to ensure that they are provided in a way which is free from unlawful discrimination.

Where The BFHS's arrangements relating to Benefits put members at a substantial disadvantage due to a reason connected with their disability, reasonable adjustments to the arrangements should be made to eliminate or, if that is not reasonably practicable, reduce the disadvantage unless otherwise objectively justified.

4 Grievances, disciplinary procedures and dismissals

Students/instructors who, in good faith, bring a grievance (or assist another to do so) either under this policy or otherwise in relation to an equal opportunities matter will not be disciplined, dismissed or otherwise victimised for having done so.



POLICY STATEMENT ON HARASSMENT

The BFHS is committed to its shared values and to upholding the dignity of the individual, to creating a stimulating and supportive learning and training environment, to promoting equality of opportunity and to valuing diversity.

This Policy Statement applies to all instructors and students of the BFHS. Its purposes are:

- to clarify that within training, learning and social environments harassment and bullying are unacceptable;
- to confirm that allegations will be considered seriously and objectively;
- to promote a culture within which individuals can have the confidence to complain about harassment and bullying, should it arise, in the knowledge that their concerns will be dealt with appropriately and fairly.

Harassment is unacceptable behaviour, which can range from violence and bullying to more subtle behaviour such as ignoring an individual. It is unwanted conduct that has the purpose or effect of violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. It continues after an objection is made (although a single incident may be serious enough to constitute harassment and justify a complaint). People experiencing harassment may have redress under legislation, e.g. sexual or racial harassment.

The BFHS recognises that harassment can worsen training, learning and social conditions for instructors and students and may constitute unlawful discrimination. Any complaints of harassment will be regarded extremely seriously, will be investigated as quickly as possible, and while attempts will be made at resolution on an informal level where appropriate, such complaints may lead to disciplinary action which may include dismissal or expulsion. Support will be provided by the BFHS to protect the complainant from victimisation. The BFHS recognises its equal duty of care both to the accuser and the accused and allegations will not be presumed proved until properly investigated using the appropriate complaints or disciplinary procedures. Any allegations proven to be malicious or vexatious are also likely to be the subject of disciplinary action.

All member groups of the BFHS community are responsible for ensuring that they treat others with respect and for considering how their behaviour is perceived. The BFHS expects instructors/group representatives with supervisory responsibility to be aware of, understand and act on this Policy Statement and associated Guidelines and Procedures, and to make them known to students/members. All members are entitled to work in an environment that values and promotes personal dignity, and instructors/group representatives must ensure that they positively contribute to the creation of such an environment by actively addressing issues of harassment.

Instructors or students who are experiencing harassment will be supported by the BFHS. A network of trained people (members who have suitable professional qualifications) acting as 'Harassment Contacts' will offer support and information as requested in such circumstances.



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The BFHS undertakes to publicise this Policy Statement widely, to disseminate supporting information appropriately, to provide training for those involved in advising on or dealing with complaints of harassment and bullying and to review the policy and its implementation in the light of experience.

This Policy Statement is supported by Guidance for members of instructors or students involved in complaints of harassment or bullying, which includes information on the process to be used for dealing with allegations of harassment or bullying.

GUIDANCE FOR INDIVIDUALS OF INSTRUCTORS AND STUDENTS WHO ARE INVOLVED IN COMPLAINTS OF HARASSMENT OR BULLYING

WHAT IS HARASSMENT?

Harassment is unacceptable behaviour, which can range from violence and bullying to more subtle behaviour such as ignoring an individual. It subjects an individual or group to unwelcome attention, humiliation, ridicule, offence or loss of privacy. It may consist of a single major incident, or a pattern of behaviour which continues after an objection is raised. Harassment is behaviour which a particular individual or group of individuals finds intimidating, upsetting, humiliating, embarrassing or offensive. It is not the intention of the alleged harasser that determines whether harassment has occurred, but whether the behaviour is unacceptable by normal standards, and is unacceptable to the complainant. People can be subjected to harassment on a wide variety of grounds, including:

- race, ethnic origin, nationality or skin colour;
- sex;
- sexuality;
- religious or political convictions;
- disabilities, sensory impairments or learning difficulties;
- age;
- status as an ex-offender
- AIDS/HIV status
- willingness to challenge harassment, leading to victimisation.

Harassment can be a source of great anxiety to an individual. It may be so serious or unrelenting that the person who is being, or has been, harassed feels it necessary to consider leaving his or her course of study. It is behaviour which may undermine a person's dignity, health and self-confidence, and reduce productivity and competence in the training environment. Those subjected to harassment often feel isolated and suffer stress, which can lead to depression and/or physical illness.



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Harassment may occur where the harasser has a position of authority (for example, where an instructor is able to affect another person's job, career, grade or opportunities), but harassment in other contexts (for example by students by fellow students or of instructors by colleagues) may also occur.

Harassment may be deliberate or unintentional, and differences of attitude or culture and the misinterpretation of social signals can mean that what is perceived as harassment by one person may not seem so to another.

EXAMPLES OF HARASSMENT

Some of the following examples may cause mild irritation if occurring only once, but if repeated are likely to constitute harassment. Other examples are very clearly harassment even if they occur only once.

- Offensive remarks, gossip or jokes; obscene gestures or language;
- The display or electronic transmission of offensive pictures, graffiti or other visual material;
- Physical contact (ranging from touching to serious assault), to which a person has not consented, or which he/she has not been given the opportunity to reject;
- Intrusion by pestering, spying or following;
- Pressing people to accept unwelcome invitations;
- Promises made in exchange for sexual favours;
- Obtaining sexual or other favours through threat;
- Isolation or non-cooperation and exclusion from social activities.

BULLYING

Bullying is persistent offensive, malicious, intimidating, insulting or humiliating behaviour, often associated with the misuse of power or position, which aims to undermine the confidence and self-esteem of the recipient. Examples are:

- Setting arbitrary or unachievable workloads in an unreasonable manner, and making threats associated with failure to achieve;
- Excessive supervision;
- Verbal and/or physical intimidation;
- Ostracism;
- Public reprimand, ridicule, sarcasm or humiliation;

It is unacceptable to condone bullying under the guise of 'strong management'. However, a concern to avoid practices that could be construed as bullying should not restrict those who have responsibility for supervising instructors and/or students from engaging in acceptable forms or styles of teaching or implementing the academic requirements of a programme of study.



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Legitimate activities associated with delegating tasks will not in themselves constitute bullying, provided that they are carried out in a way that respects others, are justified by the training relationship or are part of a programme for tackling poor performance.

THE LAW ON HARASSMENT AND BULLYING

Harassment may constitute unlawful discrimination within the workplace and in vocational training (including Higher Education) contrary to the following Acts of legislation:

- Sex Discrimination Act, 1975,
- Race Relations Act, 1976,
- Disability Discrimination Act, 1995.
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003
- Employment Equality (Age) Regulations 2006

Employers can be held liable for the harassing behaviour of employees, and employees can also be held personally liable.

- Harassment on grounds of race, sex or disability or on other grounds not covered by these Acts could lead to a claim under the Employment Rights Act, 1996.
- The Health and Safety at Work Act, 1974, places a duty on the employer to ensure, so far as is reasonably practicable, the safety and welfare at work of employees.
- Under the Criminal Justice and Public Order Act, 1994, the use of threatening, abusive or insulting and disorderly behaviour intended to cause harassment, alarm or distress is a criminal offence.
- The Protection from Harassment Act, 1997, makes a course of conduct amounting to harassment both a civil wrong and a criminal offence. It also introduces a further criminal offence of putting a person in fear of violence.
- The Human Rights Act, 1998, includes the right not to be subjected to degrading treatment or punishment, and protects individuals from discrimination on grounds that are not covered explicitly elsewhere in the domestic legislative framework (for example on grounds of sexuality).



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GUIDANCE FOR INSTRUCTORS AND STUDENTS WHO FEEL THEY ARE HARASSED

- 1 Instructors and students who are experiencing or who have experienced harassment should not feel that they are to blame, and concern over what constitutes harassment should not deter them from discussing the situation with an appropriate person.
- 2 Wherever possible, individuals should keep a written record of incidents, to include:
 - Date and time
 - Location
 - Nature of incident
 - Their response
 - Their feelings
 - Any action taken by them
 - Names of any witnesses
- 3 Individual Instructors and students can at any stage consult the BFHS's Harassment Contact who will provide confidential support and information on possible ways forward for dealing with the problem (including information on the BFHS's procedures for dealing with allegations). Harassment Contact is a trained volunteer who provides a 'listening ear' and remain neutral rather than give advice or recommend a particular course of action. They do not have a role in representing a complainant during a formal grievance process, but may be called upon to provide information by an investigating BFHS officer or in the context of disciplinary action. The Harassment Contact will provide information on sources of specialist support where appropriate but will not undertake 'counseling' of individuals. The name of the Harassment Contact can be found on the BFHS web site or available directly through the executive officers.
- 4 Confidentiality will be respected and maintained by anyone dealing with a complaint of harassment, unless there is an unacceptable risk to the complainant, another person or the Federation. It should be recognised that a satisfactory resolution is more likely if the complainant also maintains confidentiality and does not discuss the situation widely with colleagues.
- 5 In dealing with complaints, the BFHS's focus will be on informal and local resolution wherever possible.
- 6 An individual has the opportunity to make a formal complaint at any stage,



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and is not obliged to pass through the personal and local resolution stages prior to this, although this would be strongly recommended unless the allegation is very serious.

- 7 Instructors or students who feel that they have experienced harassment should be aware that a satisfactory resolution is more likely to be achieved if a complaint is made as soon as possible after the alleged incident(s). If some time has passed since the alleged incident occurred the BFHS may consider that it is inappropriate to take disciplinary action.
- 8 It is recognised that 'joint' or 'collective' complaints may be raised. These would be investigated using the grievance and/or disciplinary procedures as appropriate. Other guidance provided here is also relevant in such a case.

GUIDANCE FOR GROUP REPRESENTATIVES OR INSTRUCTORS INVOLVED IN HANDLING COMPLAINTS OF HARASSMENT

Group representative or instructor who wishes to discuss a complaint of alleged harassment should respond in the following ways:

- 1 Deal swiftly with the issues.
- 2 If possible, seek advice from the Harassment Contact in advance of a meeting with the complainant, unless this would involve an unacceptable delay.
- 3 Find an appropriate place, (in private surroundings and free from interruptions) to discuss the issue quietly and supportively.
- 4 Reassure the complainant that the problem will be taken seriously.
- 5 Be receptive and sympathetic. Do not trivialise the problem that the person feels they have.
- 6 Clarify that confidentiality will be respected unless there is an unacceptable risk to the complainant, another person the Group or the Federation. Explain that a satisfactory resolution is more likely if the complainant also maintains confidentiality.
- 7 Advise the person that you will be taking notes as a personal record, but that these notes will not, unless the complainant wishes, form the basis of a formal complaint. The interview should be seen as a meeting to establish what has happened, and, if possible, achieve a local and informal resolution.
- 8 Listen carefully to the complainant and ensure that the full facts of the



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situation have been understood.

- 9 Remain objective and do not make assumptions or pass judgement.
- 10 As a general principle, be guided by the wishes of the complainant regarding progress in dealing with the complaint.
- 11 Discuss the options open to the complainant. These may be, as appropriate:
 - Encouraging the complainant to speak or write to the alleged harasser to clarify that the unacceptable behaviour must cease;
 - Proposing that the group representative meets with the alleged harasser to discuss how their behaviour is perceived and the implications of this;
 - Facilitation of a meeting between the complainant and the alleged harasser to resolve the matter, with the manager present;
 - Arranging the intervention of a trained mediator to facilitate a resolution;
 - Discussing the possible submission of a formal complaint, if the severity of the allegation warrants this;
 - Referring the complainant to a Harassment Contact or other appropriate source of support.
- 12 Establish what the complainant wishes to do about the alleged harassment.
- 13 Do not make promises to the complainant that may be impossible or inappropriate to keep in the face of additional information that comes to light at a later date.
- 14 Ensure that the complainant is in agreement with and understands any action that you propose to take as a result of the meeting, and when that action will take place.
- 15 Arrange a further meeting with the complainant as appropriate.
- 16 Make, (at the end of involvement with the case), an anonymised record of the complaint detailing the nature of the allegations and how the complaint was resolved. This should be sent to the BFHS for monitoring purposes if deemed appropriate.

GUIDANCE FOR THOSE ACCUSED OF HARASSMENT

Instructors or students who have been accused of harassment have a right to be informed of the complaint and will be given the opportunity to state their own case. They should take the following action:



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- 1 Make sure that they read the Policy Statement and Guidelines on harassment that set out what can be expected at each stage of the procedure for dealing with the complaint.
- 2 Avoid contact with the person who has made the accusation, unless this is absolutely necessary. If contact would normally be inevitable or unavoidable, the person accused should seek advice from their group representative or if preferred the Harassment Contact. It may be appropriate to have a third party present as a witness where it is necessary.
- 3 Make their own notes relating to any incidents that have occurred involving the person making the allegation of harassment, and be prepared to respond to questions relating to these incidents.

PROCEDURE FOR DEALING WITH COMPLAINTS OF HARASSMENT

Instructors and students can consult one of the BFHS's named Harassment Contact/s at any stage during this process. The Contact will provide support and information on possible ways forward for dealing with the problem.

Personal resolution stage

Individuals should consider ways in which they can resolve the situation themselves, by making it clear that they find the behaviour offensive and want it to stop. Options to consider include:

- Speaking to the person responsible for the behaviour;
- Writing to the person;
- Challenging the person accompanied by a colleague;
- Asking a colleague to speak to the person on their behalf.

Local resolution/Mediation stage

If the situation does not improve following an attempt at personal resolution, if the individual finds it impossible to raise the issue personally, or if the allegation is more serious, the complainant should contact someone with whom they feel able to discuss the situation. This could be:

- Their Instructor or Group representative
- The BFHS executive



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The individual may choose to be accompanied by a fellow student, their instructor or at a meeting with one of the above people.

The focus at this stage continues to be on facilitating a local resolution, and will not in itself result in any further formal internal investigation or disciplinary action.

Action taken by the person receiving the complaint is likely to include approaching the alleged harasser to give him or her the opportunity to give their perspective on the situation. The alleged harasser may be accompanied at any meeting by a fellow student or their instructor.

Where appropriate, the possibility of involving someone with mediation skills may be considered.

Formal complaint stage

Where informal resolution is not appropriate (for example because of the seriousness of the allegations), or is not requested, or where the outcome has been unsatisfactory, an individual may bring a formal complaint to the BFHS, or directly to the President.

In such circumstances, the person about whom the allegations have been made will be informed of the nature of the complaint.

On receipt of a formal complaint, the President, in liaison with the Secretary or Treasurer will investigate the circumstances of the case. The investigation will comply with principles set out to ensure swift, objective and appropriate consideration of the circumstances, and will focus on the facts of the complaint.

Both the complainant and the person about whom the complaint has been made may be accompanied at any meeting by a colleague or a fellow student.

The Investigating Officers will make recommendations regarding action to be taken, which may include disciplinary action under either the instructors or student disciplinary procedures.

If either the complainant or the person about whom the complaint has been made feel that a formal investigation involving them has not been dealt with to their satisfaction, they may raise their concerns via the instructors grievance or student complaints procedure, as appropriate.

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DISABILITIES

Policy

It is The BFHS's policy that disabled people should be able to participate in all of its activities fully on an equal basis with people who are not disabled.

What are disabilities?

For the purpose of this policy, disabilities are either physical or mental impairments that have a substantial and long-term affect upon a individual's ability to participate in a class or studies relating to those classes.

Some disabilities are immediately obvious, for example use of a wheelchair, while other disabilities may not be apparent at all, for example HIV infection. Certain conditions are not considered to be disabilities, for example poor eyesight which is corrected simply by wearing prescription spectacles, or addiction to alcohol or other substances. If you or your group leaders would like further information about whether a particular condition is a disability you should contact the BFHS.

Day to day class activities are any of the following:

- Mobility
- Manual dexterity
- Physical co-ordination
- Continence
- Ability to lift, carry or otherwise move everyday objects
- Speech, hearing or eyesight
- Memory or ability to concentrate, learn or understand; or
- Perception of risk of physical danger.

Principles

The general equal opportunity principles set out earlier in this policy will, unless objectively justified, apply in relation to disabled people.

The BFHS and its membership groups will take all reasonably practicable steps to ensure that disabled people are able to participate in its classes and the day to day activities on an equal basis with people who are not disabled.

The BFHS will not, for a reason relating to a individual's disability, treat disabled people less favourably than it treats, or would treat, others to whom the same reason does not or would not apply, unless genuinely justified.

If any arrangements made by or on behalf of the BFHS, or any physical feature of premises occupied by The BFHS or member group, put disabled people at a substantial disadvantage compared to people who are not disabled, The BFHS or member group will take such reasonably practicable steps as it can to prevent this disadvantage.

The BFHS is particularly concerned that disabled members of groups are



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treated equally in the following areas:

- Training and academic studies
- Terms of environment, benefits, facilities and services
- Disciplinary procedures

Procedure

Due to the wide variety of potential disabilities and the likelihood of a disability affecting different people in different ways, it would be inappropriate to prescribe rigid rules on how issues concerning disabled people should be dealt with. What is essential however, is that all group leaders/instructors and individuals who are considered in a position of authority within a group take all reasonably practical steps to ensure that disabled people are not less favourably treated or disadvantaged by comparison to people who are not disabled, in relation to their work, working environment or by arrangements made by the BFHS and member groups.

The following general steps should always be considered where issues concerning disabilities arise or may arise.

- Be flexible. There may be many different ways to avoid discrimination or to minimise the effects of discrimination.
- Do not make assumptions. Whenever possible talk to the disabled individual to find out how their disability affects them and what steps they think might help.
- Seek expert advice. Disability issues can be complex; you may need expert medical advice about a individual's disability, or expert technical advice about adjustments to technology or premises that might help the disabled individual.
- Think ahead. Try to anticipate the effects that certain arrangements may have on disabled people, even if there are no disabled individuals at the time, to prevent problems occurring in the future.
- Consider any performance or attendance problems in the context of the individual's disability and its affect on his or her ability to meet performance and attendance targets.
- Do not castigate or dismiss a disabled individual for performance or attendance based reasons without first establishing whether the performance or attendance is affected by the disability and appropriate adjustments to accommodate the disability have been made.



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