

LAVENDER MENACE

Queer Books Archive

Safe Spaces and Anti-harassment Policy

V 1.0

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0.1	DRAFT	Alex Fitzgerald	10 Feb 2024
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1. Purpose

The Lavender Menace Queer Book Archive (LMQBA) exists to provide a safe space for the provision of access to historical queer literature,

2. Scope

LMQBA as a Community Interest Company will not address or handle complaints which relate to criminal activity allegations or items which pose the threat of civil legal action but will instead refer these to the correct external parties to handle as they are beyond the scope of the board's competencies.

LMQBA will address or handle complaints which cover the following (non-exhaustive list)

- ❖ Conduct of directors, employees, or volunteers in relation to the delivery of service or operation of the company (with the above noted exclusions)
- ❖ The performance of the company as an entity in line with its own policies
- ❖ The appropriateness of company policies to the services we deliver and the community we serve.

This policy applies to all employees, volunteers and users of both the archive and any events hosted by LMQBA, and also in our online and social media environments

3. Policy Statement

- 3.1. The LMQBA is dedicated to providing a safe space for its staff, volunteers, and users. This includes a zero tolerance of bullying, harassment, and discriminatory behaviour.
- 3.2. Bullying or harassment of employees, volunteers, or service users by other employees, volunteers, or service users will not be tolerated or condoned.
- 3.3. This policy seeks to:
 - 3.3.1. Set out the types of behaviour which can, intentionally or not, cause offence or harm.
 - 3.3.2. Establish guidelines for employees, volunteers and service users that any such behaviour is unacceptable and will lead, were necessary, to disciplinary action or a removal of services
 - 3.3.3. Provide a procedure for raising and resolving concerns in a timely manner.
- 3.4. This policy also seeks to promote a culture where anyone connected to LMQBA can raise concerns without fear of victimisation or recrimination but in the knowledge that complaints shown to be malicious or vexatious will not be tolerated. It provides a procedure for anyone to raise a concern or complaint and have it addressed quickly.
- 3.5. Central to this policy is the prevention of discrimination, bullying, harassment, victimisation, intimidation, and other unacceptable behaviour on any grounds.
- 3.6. This applies particularly in relation to any characteristics protected under the Equality Act 2010

- 3.6.1. age;
- 3.6.2. disability;
- 3.6.3. gender reassignment;
- 3.6.4. marriage and civil partnership;
- 3.6.5. pregnancy and maternity;
- 3.6.6. race;
- 3.6.7. religion or belief;
- 3.6.8. sex; and
- 3.6.9. sexual orientation

4. Definitions

4.1. What constitutes bullying

- 4.1.1. There is no legal definition of bullying, but the following provides a non-exhaustive list of general definitions which can be applied in the context of this policy, it is generally categorised by negative behaviour being targeted at individuals, repeatedly or persistently, over time.

These include:

- 4.1.1.1. ignoring or excluding an individual;
- 4.1.1.2. giving you unachievable tasks or “setting you up to fail”;
- 4.1.1.3. spreading malicious rumours or gossip;
- 4.1.1.4. giving you meaningless tasks or unpleasant jobs;
- 4.1.1.5. making belittling personal remarks;
- 4.1.1.6. undermining your integrity;
- 4.1.1.7. withholding information deliberately;
- 4.1.1.8. making you look stupid in public/in front of fellow employees;
- 4.1.1.9. undervaluing your contribution – not giving credit where it is due;
- 4.1.1.10. an abuse or misuse of the power or authority through means intended to unfairly criticise or injure the recipient.

4.2. What constitutes cyberbullying

- 4.2.1. Cyber bullying is bullying or harassment which is conducted via social networking channels, often using blogs or social networking sites to post photographs offensive or threatening comments.

4.3. What constitutes harassment

- 4.3.1. Unlike bullying, harassment can relate to unlawful discrimination, which can be on the grounds of the protected characteristics of age, sex, gender reassignment, race, religion or belief, sexual orientation, disability, pregnancy and maternity, marriage and civil partnership.
- 4.3.2. It's unwanted conduct that:
 - violates another person's dignity; or
 - creates an intimidating, hostile, degrading, humiliating, or offensive environment for that person.
- 4.3.3. Harassment takes many forms including physical, verbal, and non-verbal conduct. It can include comments, actions, jokes, or suggestions that may be viewed as demeaning and unacceptable to the recipient. It may be an isolated incident or repeated actions that may create a hostile environment.

- 4.4. What doesn't constitute bullying or harassment
 - 4.4.1. Effective Management
 - Any organisation needs to be able to
 - 4.4.2. Enforcement of this policy

5. Informal resolution of complaints

- 5.1. It is preferable that complaints are dealt with informally where appropriate. The aim is to resolve issues quickly and reduce the impact on all involved.
- 5.2. It is important that people acknowledge the distinction between behaviour that is perceived as causing offence or distress and behaviour which is merely causing annoyance. Sometimes the person might not understand the impact of their behaviour on someone else and making them aware of it can stop the behaviour and resolve the matter quickly.
- 5.3. If possible the complainant should talk to the person directly about their behaviour, explain how it has affected them and ask them to stop behaving in that way. It is advisable to retain a personal note of any such approach.
- 5.4. If it is too difficult to do this on their own, they can ask another volunteer or staff member to do this for them. If the person is their line manager, or anyone in a position of authority, they can ask any member of the board of directors to talk to them on their behalf.
- 5.5. Once a complaint of bullying or harassment is made the individual who receives it should make every effort to resolve the complaint quickly and, where possible, informally.
- 5.6. If the complaint of bullying or harassment is of a more serious nature, it should be notified immediately to the LMQBA board. Preferably in writing.
- 5.7. Where the subject of the complaint is an employee or board member of the LMQBA and it is a serious case, the bullying or harassment may constitute gross misconduct and, where this is established, gross misconduct will normally result in summary dismissal. In some cases, bullying and harassment can be unlawful and result in discrimination claims, criminal claims for assault or civil claims for harassment or negligence.

6. Making a formal complaint

- 6.1. If the unacceptable behaviour occurs again, after trying to resolve the situation informally, or the behaviour is considered by the complainant to be so serious that an informal approach is inappropriate or impossible, the employee may submit a formal complaint to the LMQBA board.
 - 6.1.1. This is the immediate point of escalation where the complaint is made about the line manager's behaviour.
- 6.2. Once a formal complaint is received it will be assessed and an investigation will be undertaken to determine if the behaviours fall under the definitions of this policy, and what the appropriate steps are to follow.
- 6.3. At the conclusion of the investigation, the line manager, or the board, must decide on a course of action to address the complaint. The options include:
 - 6.3.1. Determining that the concerns are unfounded – the investigator must inform the individual who made the complaint and the individual

against whom the complaint was made that no further action will be taken;

- 6.3.2. Management intervention – an investigator may attempt to find a joint resolution between the parties by facilitating discussion and trying to restore/develop amicable and co-operative relationships;
- 6.3.3. Instruct a disciplinary investigation – this would follow the normal investigation process under the Disciplinary Procedure and may lead to informal or formal disciplinary action.
- 6.4. False accusations
 - 6.4.1. If an individual makes an accusation in good faith which, after investigation, is found not to be bullying or harassment, no action will be taken against the individual making the complaint.
 - 6.4.2. If an individual makes a malicious complaint which doesn't have grounds, substance or evidence and was made to deliberately cause upset and distress, LMQBA may take action against the individual.
 - 6.4.2.1. The board of directors or line management may instigate actions against employees via our disciplinary procedure
 - 6.4.2.2. The board of directors may instigate actions against volunteers or service users by restricting their access to the LMQBA reading room and/or events in line with this policy and the volunteer management policy.

7. Complaints against individuals

- 7.1. Where LMQBA receives a complaint levelled against an individual associated with the company, either paid or voluntary, this will be escalated to the board for consideration.
- 7.2. In the event that the complaint relates to a board member, that board member will be recused from any role in the investigation, or discussions around the necessary remediation, other than providing their statement or responding to any relevant questions as part of the process.
- 7.3. Where the complaint relates to more than one member of the board of directors:
 - a) ALL (or a majority) of the directors; or
 - b) a number less than the majority of the current, active directors;the complaint will be assessed as to whether it is a 'complaint against an individual' or if it can be viewed as a 'complaint against the company'.
 - ❖ Where a) applies an external third party will be sought to assist with the management of the process.
 - ❖ Where b) applies the complaint will be handled under the 'Complaints against the company' process.

8. Complaints against the Company

Where a complaint is received that relates to the conduct of the business as an entity the complaint will be investigated by the board and a report created which seeks to assess the facts against the organisations policies and procedures in order to address the points raised.

Any board members whose conduct is implicated in the complaint will be recused from any role in the investigation. Where failings are found in any policy or procedural document a further review of them will be undertaken.

Individuals wishing to communicate a complaint should follow the procedure outlined in the approved complaints procedure.

9. Remedies

Where suitable LMQBA will seek to make address as appropriate and actions can include, but are not limited to:

- 9.1. A private apology (written or verbal);
- 9.2. A public apology statement issued via our digital channels;
- 9.3. A formal change to policy or procedure;
- 9.4. The termination (where appropriate) of an employment or volunteering relationship between LMQBA and the relevant third party (Director, Employee, Volunteer, Service Provider, etc.).

10. Policy Review

- 10.1. This policy will be reviewed annually or when any significant changes arise which impact its operation