



**APBC**

ASSOCIATION OF PET  
BEHAVIOUR COUNSELLORS

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Anti-Bullying and Harassment Policies and Procedures



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## Harassment and anti-bullying policies and procedures (as defined by Advisory Conciliation and Arbitration Service - ACAS)

These terms are used interchangeably by most people, and many definitions include bullying as a form of harassment.

Harassment (as defined in the Equality Act 2010) is:

Unwanted conduct related to a relevant protected characteristic (for example, race, religion, sexual orientation), 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. This is a criminal act.

There is also The Harassment Act 1997. This is a criminal and a civil act.

Bullying may 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.

Bullying or harassment may be by an individual against an individual (perhaps by someone in a position of authority) or involve groups of people. It may be obvious, or it may be insidious. Whatever form it takes, it is unwarranted and unwelcome to the individual.

It can be difficult to determine differences between bullying and harassment and only a court hearing is able to determine if the behaviour constitutes harassment.

## Examples of bullying/harassing behaviour (as defined by ACAS):

- Spreading malicious rumours, or insulting someone by word or behaviour (copying communications that are critical about someone to others who do not need to know, ridiculing or demeaning someone – picking on them or setting them up to fail).
- Exclusion or victimisation; persistently making unwanted comments that cause an individual, or group of individuals, to feel demeaned.
- Unfair treatment.
- Overbearing “supervision” or other misuse of power or position.
- Unwelcome sexual advances – touching, standing too close, verbal or written suggestion, the display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected.
- Making threats or comments about membership security without foundation.
- Deliberately undermining a competent member through undue or excessive public criticism.
- Preventing individuals progressing by intentionally blocking opportunities.

Bullying and harassment are not necessarily face to face. They may also occur in written communications, email, phone, and social media.

## Impacts of bullying and harassment behaviours

Bullying and harassment can make someone feel anxious and humiliated. Feelings of anger and frustration at being unable to cope may be triggered. Some people may try to retaliate in some way. Others may become frightened and de-motivated. Stress, loss of self-confidence and self-esteem caused by harassment or bullying can lead to job insecurity, illness, absence from work, and even resignation. Almost always job performance is affected and relations in the workplace suffer. Although the APBC is a membership organisation, it must not be overlooked that behaviour within the organisation can have profoundly negative social and emotional effects on an individual either in a self-employment role or as an employee. Furthermore,

harassment does not just apply to the individual, but any other party who feels affected by the behaviour. Such individuals can also bring a case of harassment.

## The rights of the individual being harassed

### Taking action under the Protection from Harassment Act 1997

Harassment is both a criminal offence and a civil wrong under the **Protection from Harassment Act 1997**.

This means that someone can be prosecuted in the criminal courts if they harass you. It also means you can take action against the person in the civil courts.

### When is something harassment under the Act?

Generally speaking, harassment is behaviour which causes you distress or alarm.

The Act also says you must have experienced at least **two incidents** by the **same** person, or group of people for it to constitute harassment.

It's the courts that decide if something is harassment under the Act. The courts will look at whether most people or a **reasonable person** would think the behaviour amounts to harassment.

### When can you take civil court action about harassment?

If you've been the victim of harassment you can take action in the civil courts against the person harassing you.

You need to make your claim within **six years** of when the harassment happened.

You can still take civil court action even if the person harassing you hasn't been found guilty of a criminal offence.

## What can the court do if you take civil action about harassment?

The court can make an order or **injunction** that the person harassing you must stop their behaviour. If they don't stop harassing you after the court has made an injunction against them, it's a criminal offence and they can be prosecuted in the criminal courts.

You can also ask the court for compensation if you've suffered financial or emotional loss - for example, if the harassment has made you feel very anxious or distressed, or caused you to stop working.

If an individual is thinking about taking court action, they should get advice from an experienced adviser - for example, at a Citizens Advice local office. It will be expected that attempts to resolve these issues have been made and found to be unsuccessful before court action will be considered. Independent mediation may be necessary to resolve any issues.

## How anti-bullying and harassment will be dealt with by the Association of Pet Behaviour Counsellors.

Given that there is a virtual office concept within the APBC, it is anticipated that opportunities for bullying and harassment are most likely to occur between members via remote or online communication, or through the APBC Official Member's Group on Facebook, which is where most of the membership communication takes place.

The Facebook group 'APBC Official Member's Group' is run by the APBC Committee and has specific rules that members must adhere to upon joining. As all members of the group are also APBC members, everyone must also abide by the APBC Code of Conduct and these Anti-Bullying and Harassment policies and procedures. Any other such social media groups or forums involving APBC members are not

connected to the APBC but members are still expected to abide by the organisation's Code of Conduct in all online and social media communication.

Bullying and harassment could also apply to individual members working in local proximity. Therefore, these policies and procedures shall apply broadly across forum communications, external media, telephone discussions, online discussions, and in-person. As an organisation advocating the ethical treatment of animals, and whose members are counsellors, a high standard of behaviour is not just anticipated, but required of all members.

#### How the APBC defines bullying and harassment.

1. Any behaviour conducted by one or more persons designed to reduce self-esteem of an individual that occurs on one or more occasions.
2. Persistent public criticism by an individual member, or group of individuals, of another member of the APBC.

#### Code of Conduct between members of the APBC.

1. It is acceptable to provide justifiable and specific feedback to an individual with the aim of improvement of the individual whilst maintaining the individual's right to fair and ethical treatment. This information should NOT be provided publicly, rather should be handled via private communication and not discussed outside of this private interaction. Appreciation of the interpretation of the written word must be considered at all times.
2. It is acceptable to disagree with an individual as long as supporting evidence is provided and the individual is treated fairly and with kindness. In such cases, it is possible that disagreement may occur in the Official APBC Member's Facebook Group and that evidence will support debate. As long as these debates are conducted without personal criticism and with due consideration for the individual's self-esteem, this form of debate is beneficial to greater learning opportunities for the wider APBC membership.

3. Direct personal criticism, goading behaviours, innuendo, rudeness or harsh criticism of an individual, as opposed to their idea, will not be tolerated and may result in disciplinary action (see disciplinary procedures below).
4. Unnecessary condescending or derogatory criticism, e.g. criticisms about spelling, grammar and punctuation is not acceptable within the Official APBC Member's Facebook Group as this may be considered demeaning (an offense under anti-bullying/harassment legislation), or an offense under the Equality Act (2010). An individual's ability to communicate by the written word may be more challenging for individuals with certain conditions, including dyslexia.
5. Persistently argumentative behaviour on the forum is not considered acceptable. Any criticisms should be addressed to the idea and not the individual, and should be backed up with supporting evidence.
6. Members shall refrain from making unwanted sexual comments or advances to other members of the APBC. If asked to stop and the behaviour persists, this behaviour will be investigated and will lead to disciplinary action.
7. Members shall refrain from making comments that demean religious beliefs, political opinions, sexual orientation, gender, or gender identification (transsexual, transgender, non-binary or other). Such comments could be considered harassment.
8. Members may not discriminate against pregnancy or marital status, which would be a criminal offence under the Equality Act (2010)

### Complaints procedure

1. Matters of complaints against any individual member of the APBC shall be directed, in confidence, to the Complaints Committee via the APBC Office. Full details should be provided and supported evidentially. The APBC Complaints Procedure can be found here: [www.apbc.org.uk/code-of-conduct-and-complaints-procedure](http://www.apbc.org.uk/code-of-conduct-and-complaints-procedure)
2. Disclosure of the nature of any complaint against an individual to any other member of the APBC, or outside the APBC, shall be considered a breach of



confidence and may result in disciplinary action and possible expulsion from the APBC for gross misconduct or bringing the APBC into disrepute. The Complaints Committee shall investigate fully.

3. If a member of the forum contacts the Complaints Committee, to make an objection to the conduct of another member in regards to bullying or harassing behaviour, the evidence will be reviewed and a decision made as to whether or not this constituted a breach of the APBC anti-bullying and harassment policies.

## Disciplinary Action

### APBC Official Member's Group Facebook posts

1. If a member deems a post on the forum to be offensive (meeting conditions to be considered under the Equality Act (2010) or Harassment Act (1997)), they should report this to one of the group admins (Committee members) or the APBC Office. The post will be reviewed and if felt it is in breach of the Equality act (2010) or the Harassment Act (1997), it will be removed. The post need not be directed at that person for them to report it.
2. The author of the post will be contacted by a member of the APBC Committee to explain why the post was removed. This will constitute a first warning. No further action will be taken other than to request a change in behaviour.
3. A note will be recorded in the 'anti-bullying folder' with a copy of the post and what action was taken. If relevant, this will include a copy of any written communication to the author of the post and evidence it was received, if possible.
4. If the individual refuses to acknowledge the warning notice, this will result in a Complaints Committee meeting in which appropriate actions will be discussed. The maximum penalty for failing to cooperate with the APBC anti-bullying and harassment policies is expulsion from the APBC.
5. If the warned individual makes a second post that is considered harassment or bullying in nature, the post will be removed after a copy is taken and filed in the anti-bullying folder. The author will be contacted in writing and issued with a second warning in writing. After two cases directed towards the same individual, this then becomes a matter that could be considered a potential criminal offence. At this

point, such documentation may be passed to a third party to enable a criminal or civil case to be brought against the individual. An individual's rights to data protection do not come before the legal requirement to provide evidence in criminal cases.

6. If an individual is issued with a second warning, their access to the APBC Official Member's Group will be removed for one month.
7. If a third post is found to be bullying or harassing, the post will be fully documented and the author will face expulsion from the APBC. Unused fees will not be refunded, and the individual will be removed from the APBC website (if relevant). If expelled from the APBC, the ABTC will be notified that the individual is no longer a member of the APBC and the individual will also be removed from the ABTC register relevant to their APBC listing.

#### Breach of law

Any behaviour that is in breach of the Equality act (2010) or the Harassment Act (1997) is a criminal act. Members found, in criminal or civil court, to be in breach of these laws will be considered to be bringing the membership into disrepute and will face expulsion from the APBC. Unused fees will not be reimbursed, and their name removed from the website. The ABTC will be informed that the individual is no longer a member of the APBC, and their listing removed from the ABTC.

#### Breach of confidence regarding complaints

Any official complaint made about an individual member of the APBC must not be publicly or privately discussed other than with investigating parties. To discuss an official complaint about a member constitutes a breach of confidence. An individual has the right to ethical and fair treatment, even when undergoing disciplinary investigation. Such a contravention would be considered a serious breach of professional practice and could result in disciplinary action.