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Participating with dignity in all CIEP events and activities

The CIEP Dignity Policy and
Complaints Procedures

EDI director
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1 Foreword

It is the CIEP's aim that all of our events and activities should be welcoming to and inclusive of all of our members – members from across the world, who bring with them valuable and diverse lived experiences and cultural norms.

While the CIEP is not directly responsible for the behaviour of its members, it is responsible as an association for the spaces in which its members meet and interact – both in person and online – and it has other legal responsibilities as an employer and service provider.

As such, we are working to embed equality, diversity and inclusion (EDI) across all of the CIEP's activities. As part of that work, this policy on participating with dignity in all CIEP events and activities sets out our expectations of members, staff and other participants, as well as procedures to explain how we will deal with incidents of harassment, victimisation, bullying and/or other behaviours that are considered unacceptable under this policy.

By outlining these expectations, the CIEP aims to foster an environment in which all members are empowered and able to participate in any and all of the CIEP's events and activities, including our annual conference and regional mini-conferences, local group meetings and other local/regional events, training (including workshops and online), member forums and social media (eg **Facebook**, **Twitter** and **LinkedIn**).

This document therefore:

- sets out a statement of expectations that defines the behaviours the CIEP considers to be unacceptable, including discrimination, harassment, victimisation and bullying
- explains the ways in which you might seek support and/or bring an incident to the CIEP's attention should you be the target of or witness to any of these or other unacceptable behaviours
- outlines how a complaint under this policy may be investigated and what its consequences might be
- confirms the scope of your rights to appeal and to confidentiality.

Where relevant, this document is based on and will refer to comparable procedures for complaints about members' professional conduct under the CIEP Code of Practice. It reflects best practices set out by the Equality and Human Rights Commission (EHRC), among others, and it has been reviewed as within the law, good practice and fit for purpose by **The Diversity Trust**.

It is framed more widely within the context of UK law and of law applicable in the UK directly or in spirit, including the Equality Act 2010, the Human Rights Act

1998, the European Convention on Human Rights, the International Conventions on Civil and Political Rights, and on Economic Social and Cultural Rights, and the Universal Declaration of Human Rights, as well as both common and criminal law in the UK, including (but not limited to) statutes such as the Serious Crime Act 2007, the Public Order Act 1986 and the Criminal Justice Act 2003.

You are invited to get in touch with the EDI director by email to edi@ciep.uk should you have any questions about this policy and these procedures, and/or to suggest ways in which we might continuously improve our approach to EDI within the CIEP.

We thank you warmly for the professionalism and generous spirit that characterises so many of the CIEP's member-led events and activities – and we look forward to seeing you making the most of your membership by participating in them!

CIEP EDI director

On behalf of the CIEP Council



2 Statement of expectations

The CIEP expects everyone participating in its events and activities to treat each other with respect, both in person and online, and to be considerate and collaborative in their approach to one another. We hope that all members will feel supported and empowered to access all of the CIEP's offerings.

The CIEP will consequently take seriously any personal behaviours that impact negatively on these goals, which behaviours it defines as including discrimination, harassment, victimisation and bullying, as well as threats, hostility, abuse and behaviours that result in intimidation, insult or injury. In the most serious cases, the CIEP may alert the appropriate authorities (eg police, ambulance service).

As a membership association subject to UK law, a service provider and an employer, the CIEP has a duty to ensure that its events and activities are free from any form of direct or indirect **discrimination** on grounds that include age, disability, sex, gender reassignment, marriage or civil partnership, maternity or pregnancy, race, religion or belief, or sexual orientation (the 'protected characteristics' under the Equality Act 2010). Consequently, the CIEP will not tolerate any form of harassment, victimisation or bullying of or among its members, staff or other participants in its events and activities on these grounds or any others, including (but not limited to) gender variance, neurodivergence, regional/socioeconomic background and body type.

Harassment can be defined as 'unwanted conduct related to a protected characteristic which has the purpose or effect of violating someone's dignity or which creates a hostile, degrading, humiliating or offensive environment for someone with a protected characteristic'.¹ It does not matter whether or not a person responsible for the behaviour intended it to have such an effect; it is the perception of the person who experiences the behaviour that defines it as harassment. Harassment, including sexual harassment, may be persistent behaviour or it may be one single act. In certain circumstances, harassment is illegal and may be a police matter.

Victimisation involves treating someone less favourably because they have made a complaint about such behaviours or are supporting someone or are perceived to be supporting someone who has made such a complaint.

Bullying can be summarised as unwanted behaviour that is 'offensive, intimidating, malicious or insulting ... [aiming to] undermine, humiliate, denigrate

¹ Equality and Human Rights Commission (EHRC), 'Equality Act FAQs', available online at equalityhumanrights.com/en/equality-act/equality-act-faqs

or injure the recipient'.² It may be overt or it may be characterised by a pattern of behaviours, each of which may seem trivial, but which have a significant cumulative impact on the target. Again, it is the effect of the behaviour that is definitive.

Should you believe that you have witnessed or been subjected to any of these or other unacceptable behaviours while participating in a CIEP event or activity, you can make a complaint or otherwise bring it to the attention of the event or activity organiser, or any CIEP director, by speaking to or emailing them, or by using the CIEP's confidential online **incident report form** (see section 3).

Should you believe that you have witnessed or been subjected to conduct that may also or otherwise be considered unprofessional under **section 3 of the CIEP Code of Practice** (see especially sections 3.1 and 3.3), please consider whether it may be appropriate to take steps under that **Complaints Procedure**.

Under UK law, the CIEP has a responsibility and duty of care to everyone participating in its events and activities. **If any participant is found to have engaged in unacceptable behaviours, they may be asked to leave an event or activity, or be suspended from a CIEP online space, with any refund at the organiser's and/or the CIEP's discretion.**

² Advisory, Conciliation and Arbitration Service (ACAS), 'Bullying, harassment, victimisation: what's the difference?', available online at [acas.org.uk/index.aspx?articleid=5535](https://www.acas.org.uk/index.aspx?articleid=5535)

3 In the event of an incident

If, while participating in a CIEP event or activity, you have witnessed or been subjected to behaviours that you believe to be unacceptable under this policy and you would like to make a complaint, including a complaint about the behaviour of a member volunteer, member of staff or director of the CIEP, please use the route with which you feel most comfortable. **We understand that making such a complaint can be difficult and the CIEP aims to support you sensitively.**

When making a complaint, you will be asked to share details including the date, time and nature of the incident, and the names of the parties involved (if you know them) and of any witnesses. If you choose to make a complaint after a CIEP event or activity has ended, please do so as soon as possible and please record not only the date of the incident, but also the date of your complaint.

If appropriate, you may feel able to address the behaviour directly with the person responsible. In this case, you may want to share details of the incident with an event or activity organiser, or a CIEP director, only to seek advice on how best to do this. Any such conversation will remain confidential unless the behaviour relates to protected characteristics or is otherwise so serious that the CIEP has a duty to investigate or to report it to the appropriate authorities. Further action will not normally be taken unless you request intervention or escalate it as a complaint.

3.1 Reporting an in-person incident

3.1.1 Reporting to the event or activity organiser

You may choose to raise with the CIEP any behaviour that you believe to be unacceptable under this policy with the event organiser, local group coordinator or tutor/trainer at the event or during the activity, or after the event or activity has ended.

An event organiser, local group coordinator or tutor/trainer may take summary action in the most serious of instances; in other circumstances and particularly if you raise the incident with them after the event or activity, they may offer you support in the first instance and advise that you make a complaint.

If the event organiser, local group coordinator or tutor/trainer is the subject of your complaint, you should report the incident directly to any director (see 3.1.2) or by using the CIEP's confidential online **incident report form** (see 3.1.3).

3.1.2 Reporting to a director

You may choose to raise any behaviour that you believe to be unacceptable under this policy with any CIEP director by email or, if possible and if you prefer, in person or by telephone.

You can find the names and email addresses of all of the directors on the **Meet the team** page of the CIEP website. In any instance, you may reach out directly to the EDI director (edi@ciep.uk).

If you would like to speak to a director by telephone, you can call the CIEP office on 020 8785 6155, speaking to a member of staff directly between 10am and 4pm, Monday–Friday, or leaving a message to ask that a director be put in touch with you urgently. If you express no preference, this request will be passed to the EDI director (or the chair if the EDI director is on leave).

3.1.3 Reporting using the online incident report form

You may choose to raise with the CIEP any behaviour that you believe to be unacceptable under this policy by using the CIEP’s confidential online **incident report form**. A summary of any such reports is delivered daily to the EDI director (or to the chair should the EDI director be on leave).

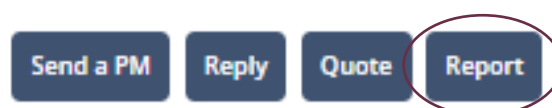
You may choose to submit this form anonymously if you want to alert the CIEP to the behaviour but do not want the incident to be investigated.

If you do want the incident to be investigated as a complaint, you must include your name and contact details, as well as the names of the parties involved, including any witnesses.

3.2 Reporting an online incident

3.2.1 Reporting on the CIEP member forums

If you are distressed by a post on the CIEP member forums that you believe to be unacceptable under this policy, you can bring it to the attention of a forum moderator by using the ‘Report’ button that you will find in the bottom right-hand corner of any post on any thread:



When reporting the incident, please be as clear as possible about the reason(s) why you believe the post to be unacceptable and what outcome you might like to see. The action(s) that the moderator is empowered to take in response should they agree with your assessment include deleting a post, cautioning a member in

private and/or posting directly to remind members of their responsibilities under this policy.

If you are dissatisfied with the outcome of moderation or if you want the incident to be investigated, you may choose to make a complaint under this policy by reporting it to a CIEP director (see 3.1.2) or by using the CIEP's confidential online **incident report form** (see 3.1.3).

3.2.2 Reporting on the CIEP's social media

If you believe that a post, comment or tweet on the CIEP-curated social media, which include **Facebook**, **Twitter** and **LinkedIn**, is unacceptable under this policy, you can bring it to the attention of the CIEP's social media team by using direct messaging.

Please note that using a platform's own reporting function will report the comment to the platform itself and not to the CIEP's social media team. If you want the team to take action, a direct message to the CIEP page or profile will alert the team to your concerns.

If you are dissatisfied with the outcome of this intervention or if you know the user responsible for the post, comment or tweet to be a CIEP member and you want the incident to be investigated, you may choose to make a complaint under this policy by reporting it to a CIEP director (see 3.1.2) or by using the CIEP's confidential online **incident report form** (see 3.1.3).

Note While you can report a comment made on social media by a non-member, the CIEP's action in such a case is limited to deleting the comment and/or blocking the user. In the most serious of cases, the CIEP may also report a comment to the appropriate authorities.

3.3 Taking action in the absence of a report

Should any CIEP director witness or be subjected to behaviours that they believe to be unacceptable under this policy, they have a responsibility to bring the incident to the Council's attention.

The Council has a duty to make further enquiries and to consider whether to escalate the incident to investigation without requiring any other member to make a complaint.

This does not preclude the right of any member to make such a complaint about the same incident, should they wish to do so.

4 Investigating an incident

The CIEP will investigate any complaint made or incident otherwise escalated under this policy promptly and confidentially, fairly and sensitively.

4.1 Summary action

The CIEP's forum moderators and social media team are empowered to take summary action to resolve issues arising in online spaces.

Event organisers, local group coordinators and tutors/trainers are empowered to take summary action to resolve issues arising during the course of CIEP events or activities.

One or more members of the CIEP Council may also take, or direct any of these agents to take, summary action in these or other instances.

In all cases, this summary action may include removal of one or more posts on a CIEP forum or the CIEP social media, asking one or more parties to leave the CIEP event or activity, or suspending them from the online space.

Those acting on behalf of the CIEP may seek advice from one or more other moderators/admins and/or one or more of the CIEP's directors before taking such action, and must do so urgently to avoid undue delay and any ongoing detriment or harm while action is pending. In any case, they must notify a director as soon as possible after any dignity-related incident and resulting action.

4.2 Forming the investigating panel

In the event that an incident has been reported or the Council otherwise considers it necessary (see 3.3), the EDI director will lead on forming an investigating panel. The potentially sensitive nature of complaints under this policy is such that the procedure is not identical to that for complaints under the CIEP Code of Practice.

An investigating panel under this policy shall comprise no more than three Council directors, no more than one of whom shall be the chair or a vice-chair.

If a director was subjected to the behaviour (whether or not they have made a complaint) or if a director has an interest in the complaint, such as a close personal or working relationship (current or former) with one of the parties, that director shall not be part of the panel nor shall they be consulted on the panel's recommendations.

If a complaint is made against a director, including the EDI director, the Council will not form the investigating panel. The other directors will instead arrange for an appropriate independent panel to investigate the complaint.

Should an independent investigating panel be required, the time frames set out in the policy may be extended. This extension will be no longer than is strictly necessary and the parties will be notified accordingly.

If a director has brought the incident to the Council's attention in accordance with their duty to the CIEP and is otherwise not ineligible, that director may be part of the investigating panel.

4.3 Gathering evidence

Once the investigating panel is formed, one member of that panel shall take the lead on communicating with the parties involved.

In the event of a complaint, they will first liaise with the complainant to outline the investigation procedure and likely time frame, inviting them to submit any further evidence with which they may wish to support their claim.

The investigating panel will gather further evidence by interviewing any or all parties to the complaint, including any witnesses, either in person or remotely, by video conferencing, and/or by email. All parties, including any witnesses, have a right to be accompanied at any such interview(s) and also have a right to refuse to be interviewed or otherwise to offer supporting evidence.

Should you be the subject of a complaint, your right to reply is not to the party making the complaint, but to the investigating panel.

Any such interviews will be recorded for the investigating panel's reference and any party will be given access to the recording of their own interview on request.

The investigating panel will aim to complete any such interviews as soon as possible after the incident and no later than three weeks (15 working days) after receipt of the complaint.

Note If the subject of the complaint or a witness refuses to be interviewed or otherwise to offer supporting evidence, the panel will base its investigation on the evidence available to it.

4.4 Assessing the evidence

The investigating panel will assess all evidence impartially and lawfully, making decisions by consensus where possible and simple majority otherwise.

The investigating panel will consult with the full Council only in the event that the panel upholds the complaint and recommends action as a consequence of its investigation, in which case it will deliver, in writing, a report and its recommendations to the Council.

In the event that the investigating panel does not uphold the complaint, all parties will be notified in writing and no further action will be recommended.

5 Consequences of a complaint

If a CIEP member or other person participating in a CIEP event or activity, or in a CIEP online space, is summarily found to have engaged in serious unacceptable behaviours, the Council delegates to other CIEP representatives the right to:

- ask that participant to leave the event or activity OR
- suspend them from the online space AND
- report the incident to the appropriate authority if necessary.

Any refund is at the organiser's and/or the CIEP's discretion.

Such summary action will be taken where behaviours are witnessed and are sufficiently serious that they would amount to gross misconduct in a workplace or an offence under UK law. **In such circumstances, the CIEP will not hesitate to act to fulfil its legal responsibilities, including its duty of care to other members, and this may include alerting the appropriate authorities.**

In all other instances in which the investigation procedure under this policy has been followed and the complaint has been upheld, the investigating panel's recommendations will be subject to a Council vote.

5.1 Voting on the recommendations

The investigating panel will aim to deliver its report and recommendations to the Council no later than two weeks (10 working days) after it has gathered all of the relevant evidence and the Council shall then have a further one week (5 working days) in which to vote on these recommendations.

The investigating panel's recommendations will be proportionate to the severity of the incident. The likely recommendations are equivalent to those set out in section 5 of the **Complaints Procedure** under the CIEP Code of Practice.

The panel may recommend that the party who has been found to have behaved unacceptably be:

- given appropriate advice on how to avoid similar behaviours in the future OR
- given a written warning, to include such advice, to be held on the CIEP's records for a period of one year or some other period as agreed by the Council OR
- given such a written warning and suspended from membership of the CIEP for a period no longer than six months OR
- expelled from the Institute.

The investigating panel may instead propose and the Council may agree, by a simple majority vote, some other form of appropriate action.

Note Lowering a member’s membership grade (paragraph 5.4 of the Complaints Procedure under the CIEP Code of Practice) is not an action suited to complaints under this policy. Suspension of membership (paragraph 5.5) in dignity-related circumstances is not limited to Entry-Level Members but spans all membership grades.

In light of the gravity of an incident likely to give rise to a recommendation of expulsion, a member who has been expelled from the CIEP under this policy will not be eligible to apply to rejoin the Institute for a period of three years after any investigation or appeal is completed. In the most serious of circumstances, the Council may, by a simple majority vote, agree to extend this period.

In line with section 6.1 of the **Complaints Procedure** under the CIEP Code of Practice, the Council may:

- fully accept the investigating panel’s recommendations OR
- partially accept the recommendations, suggesting its own amendments OR
- (in exceptional circumstances) reject the recommendations and request further investigation.

5.2 Notifying the parties

A member of the investigating panel shall notify the parties in writing of the outcome of the investigation and the Council’s decision within one week (5 working days) of the Council’s decision.

Communications in writing shall be sent to the email address that the CIEP holds on record for the member (or another email address if the party has specifically requested that during the course of the investigation) and shall be deemed to have been delivered in the absence of any server indication otherwise.

The notice delivered to the parties shall include confirmation of their right to appeal the Council’s decision.

6 Appeals

Anyone found to have engaged in unacceptable behaviours will have a right to appeal the finding (including a summary finding) and/or its consequences in writing to the CIEP Council within one month (20 working days) of the date on which they are notified of the outcome of the investigation.

The member who made the complaint may likewise choose to appeal a decision, including in the event that a complaint has not been upheld and no further action has been recommended.

If the investigating panel has recommended and the Council has voted to expel the member from the Institute, their membership will be suspended immediately for a period of one month (20 working days) in case the member should wish to appeal and that suspension will continue in effect pending the outcome of any appeal.

As in section 7.2 of the **Complaints Procedure** under the CIEP Code of Practice, any such appeal must set out the grounds on which it is brought, being:

- the reasonableness of the finding AND/OR
- the proportionality of the action AND/OR
- lack of proper procedure under this policy AND/OR
- new evidence (in which case the party appealing must explain why they did not make that evidence available during the original investigation).

Three directors, to include at least one of the chair or vice-chairs and all of whom must not have been part of or have been ineligible to be part of the investigating panel, shall form the appeal panel.

Should a complaint be against a director or should there not be three directors outside of the investigating panel who are eligible to join the appeal panel, the Council will seek independent support in progressing the appeal.

Should an independent appeal panel be required, the time frames set out in the policy may be extended. This extension will be no longer than is strictly necessary and the parties will be notified accordingly.

The appeal panel will review the grounds of the appeal and any new evidence alongside the investigating panel's evidence, report and recommendations.

The appeal panel will aim to deliver its report and recommendations to the Council within three weeks (15 working days) of receipt of the appeal, and the Council shall vote on the new recommendations within one week (5 working days) of receipt of the appeal panel's report and recommendations.

In line with section 6.1 of the Complaints Procedure under the CIEP Code of Practice, the Council may:

- reverse its original decision in full or in part OR
- uphold its original decision.

As under section 10.4 of that Procedure, if the Council votes to reverse its original decision in full or in part, this will not necessarily result in a lesser outcome or a lesser recommended action. It may involve a finding where there was none before or a recommendation that the Council take stronger action.

The chair shall notify the parties in writing of the outcome within one week (5 working days) of the Council's decision.

The Council's decision on appeal is final.

7 Counterclaims

In some instances, the subject of a complaint (complaint A) may seek to lodge a complaint under this policy or another CIEP policy or procedure (complaint B) against an individual who is, or who the subject believes to be, responsible for complaint A (or any other complaint against them).

Any such complaint lodged during the course of an investigation under this policy will be treated as a counterclaim and complaint B will be set aside pending completion of the investigation of complaint A.

Once the investigation (including any appeal) of complaint A is completed, complaint B will be summarily assessed by the investigating panel or appeal panel, where complaint A has been taken to appeal. That assessment will focus on whether the substance of complaint B has already been investigated in full within complaint A and hence is not a new complaint.

In the event that complaint B is held to comprise nothing substantively outside of the scope of the investigation of complaint A, the investigating panel will notify the party responsible for complaint B that the counterclaim will not be progressed, setting out their reasons, including that to progress the counterclaim would be to rehear complaint A.

In the event that complaint B is held to be in full or in part a new complaint, the investigating panel will remit it to Council and Council will form a new investigating panel. That panel shall not include any director involved in the investigation or appeal of complaint A.

The Council reserves the right in this circumstance to instead arrange for an appropriate independent panel to investigate the complaint.

The new investigation will follow the appropriate procedure under this or any other policy or procedure under which it has been brought.

8 Closure and confidentiality

When the procedure set out in this document reaches its conclusion and/or any appeal period is expired, the main parties to a complaint – the complainant and the subject of the complaint – shall be notified accordingly in writing.

Both during and after the investigation, the CIEP will take special care to defend the confidentiality of all of the parties involved in any incident investigated under this policy, including any witnesses.

Any detailed records gathered or generated during the investigation shall be retained securely, in line with recommendations from the Information Commissioner's Office (ICO), for three years after any investigation or appeal is concluded in case it should be required in proceedings outside of the CIEP, or for no more than 12 months after receipt of the report in the event that an investigation is not pursued and the member has submitted the report as evidence of a pattern of behaviours, indicating that they may want to pursue a complaint at a later date.

A summary or other record of the consequences of a complaint that has been upheld shall also be retained securely in the CIEP's records, in line with recommendations from the ICO, for no more than three years or for some other shorter period if the Council considers that appropriate in the specific circumstances.

All records shall be securely disposed of in line with recommendations from the ICO.

Please note that, unlike under section 13 of the **Complaints Procedure** under the CIEP Code of Practice, the sensitive nature of complaints made under this policy is such that there shall be no automatic notification to the CIEP membership of any proceeding, whatever its outcome.

The CIEP Council may, however, agree to confirmation of a proceeding under this policy in limited circumstances. Those circumstances include where one or more members witnessed the behaviour, if members may otherwise experience ongoing harm or detriment, or if the CIEP would otherwise suffer reputational damage.

The right to confidentiality under this policy is suspended should any behaviour be sufficiently serious that it constitutes a notifiable or other offence under UK law, in which case the CIEP will be under a duty to alert the appropriate authorities.