

## **ACTION PLAN TO TACKLE HARASSMENT, DISCRIMINATION AND ABUSE IN THE FUNDRAISING COMMUNITY**

On 25 March the Board of Trustees of the Chartered Institute of Fundraising met to give full consideration to the discussions and questions relating to sexual harassment in the fundraising community. They also considered wider aspects of harassment, race discrimination and abuse.

### **1. OUR APPROACH TO TACKLING SEXUAL HARASSMENT**

We approach these discussions with three principles in mind, principles we will be adopting in all our future work. They are:

- Do no harm first. That the Chartered Institute and the profession has to be a place where everyone is safe.
- Believe all those who come forward. Make it safe, simple and supportive if people disclose. Make that process a fair and balanced one.
- Listen, learn and work to share progress openly, honestly and transparently. We know that this is vital to rebuild trust and also to create systemic change.

### **2. AGREEING A NEW ACTION PLAN**

In December 2020 the Board commissioned Tell Jane, an independent specialist HR consultancy, to undertake an independent review (the “Learning Review”), of the Chartered Institute’s complaints processes and handling of complaints related to sexual harassment, drawing on the details of a specific case, and asking for broad recommendations for improvement.

The full Board has taken considerable time over the last two weeks, including three meetings, to reflect on the Learning Review. These sessions included specific advice, guidance and discussion with Tell Jane and the Institute’s lawyers, Bates Wells. The Board also considered the recent scrutiny of its handling of complaints about sexual harassment, and wider issues related to racial discrimination and abuse .

The Learning review made 18 recommendations. We have accepted them all and committed to take additional action as well informed by wider feedback, best practice and legal advice. These fall into three themes of activity – culture change, safeguarding and governance of professional standards. We set out our thematic plans below, the resources we are going to initially allocate to this work, timeframes and accountability, plus the detailed actions we will take against each recommendation of the Learning Review.

However, we know this Action Plan is not the final product. We need to refine and improve it with the support of our members and experts in specific fields. This Action Plan is just a starting point.

We also recognise that we need to align this Action Plan with the work of our Equality, Diversity and Inclusion Committee, and ensure that we tackle all forms of harassment, race discrimination and abuse as part our wider plans.

### **3. THE ACTION PLAN**

We will be taking a thematic approach as set out below:

#### **i) We will set up a Culture Board to lead a long-term systemic change in culture across the fundraising community and within the Chartered Institute**

All fundraisers must be safe wherever they work, network or learn. Sexual harassment, racial harassment and abuse are never acceptable, and every single instance must be treated seriously and with respect and sensitivity.

The Culture Board will set out an overarching vision for the future culture within the fundraising profession that we want to create.

Ruth Davison, incoming CEO of Refuge and Paul Amadi MBE, Chief Supporter Officer at the British Red Cross - both Fellows of the Chartered Institute - have offered to lead the set-up of this Board. They will be working closely with our Chair, Claire Rowney and Vice Chair, Carol Akiwumi MBE as well as David Mbaziira, a culture and communications consultant and member of our EDI Committee. The first step will be to agree a Terms of Reference for the Culture Board and recruit a Chair and members.

The culture change that is needed must put the safety of fundraisers, particularly women, first. Our starting point must be to always believe people who come forward. While today's announcements are focused on sexual harassment, we know that so much more needs to be done to tackle all forms of harassment, discrimination and abuse. Only then can our profession be the inclusive one we want it to be.

We are therefore committed to a culture change across all parts of the Chartered Institute and the wider fundraising community.

It will drive the vision behind that change and ensure any process or procedure, and the training and guidance that go with them, are led by values and an ambition to deliver the change we all want to see.

The immediate task is to form this Board blending lived experience from within the fundraising community with experts from outside the sector, experienced volunteers from within the Chartered Institute with people with specific relevant expertise in creating safe and inclusive fundraising environments.

This group will have the task of challenging and disrupting our thinking; and reinventing what the culture of fundraising looks like in the future.

We will have an open recruitment process to ensure we create the strongest possible Board to take forward this work.

Members will form the majority of this Board, but we also want to bring in expert external expertise to advise us.

## **ii) We will set up a Safeguarding Task Group**

We will build on a working group already in progress, comprising Group volunteers, Trustees and staff, to review and strengthen our approach to safeguarding within the Chartered Institute and the wider fundraising community.

This Group will ensure that actions we have set out in response to the Learning Review are delivered and that ongoing engagement with members helps us get our own approach right and then support our sector to achieve the changes we are all committed to.

The set-up of the formal Safeguarding Task Group will be led by two Trustees, Nadine Campbell and Isobel Michael, supported by one of our Fellows, Lucy Caldicott.

Their first step will be to recruit an independent Chair for the Group and agree a formal terms of reference. Our initial view is that this group should consider all types of harassment, discrimination and abuse but we will seek advice as to whether separate work should be undertaken on specific areas of discrimination, including in relation to race or sexuality.

They will also run an open process to bring on board specific expertise from our membership, Tell Jane and legal expertise as well as expert safeguarding expertise and learning from organisations such as CIPD.

Key priorities will include:

- Developing an overarching safeguarding policy that specifically covers all forms of harassment, discrimination and abuse
- Recruiting a Safeguarding and Complaints Manager
- Ensuring systems and processes are set up that are easy to use
- Clearly communicating these processes and procedure, so everyone knows how and where to make a disclosure and what support is available throughout that process
- A training programme for all staff and volunteers.

## **iii) We will set up a new, permanent, Professional Standards Panel**

A permanent Professional Standards Panel will be set up as a matter of urgency to improve the governance arrangements in relation to our complaints and disciplinary processes.

The Panel will lead on delivering the changes needed around our policies, Code of Conduct and other actions identified as part of the work of the Safeguarding Task Group and Learning Review. This Panel will have oversight of all complaints (internal and external) and responsibility, where necessary, for forming disciplinary panels.

Liz Tait, Chair of Standards Advisory Board will work closely with Caron Bradshaw OBE, Chief Executive of Charity Finance Group; Valerie Morton, Chartered Institute Fellow, member of our Nominations Committee, and an independent chair of NHS Appeal Panels; and David Cunningham, Member of the Fundraising Regulator Board and Chief Executive of Kids Operating Room to establish this Panel and take the lead in ensuring an Independent Chair and Panel members are appointed.

Key priorities will include:

- Owning the Chartered Institute's Code of Conduct and Code of Behaviours and recommending any changes to the Board of Trustees
- Delivering the agreed changes to our complaints policies and procedures
- Oversight of complaints and disclosures received by Tell Jane and the Chartered Institute
- Oversight of all issues related to professional standards
- Ensuring all revised policies work effectively
- Establishing disciplinary and appeals panels to deal with complaints and investigations as necessary.

The Panel will report formally to the Board of Trustees every quarter.

#### **4. RESOURCES AND COMMITMENT**

We make the commitments and decisions above with seriousness and urgency. We will resource each of them to make sure they are delivered effectively. This includes an immediate initial investment of £50k to recruit a project manager to deliver the action plan and structures set out above. Investment from Board will also ensure we can deliver the necessary changes to our policies and procedures, develop initial training and cover the costs of independent investigations.

#### **5. TIMEFRAMES AND ACCOUNTABILITY**

We aim to:

- Receive and digest feedback on this Action Plan by the end of April. Questions or feedback can be sent to us at [TrusteeFeedback@institute-of-fundraising.org.uk](mailto:TrusteeFeedback@institute-of-fundraising.org.uk)
- Develop Terms of Reference for the new Culture Board, Safeguarding Task Group and Professional Standards Board within a month

- Openly recruit members for these new Boards within 3 months, ensuring we have diverse Boards comprising members, people with specific professional expertise and people with lived experience.
- Deliver all the essential changes to our Complaints and Disciplinary Regulations before the end of July, including taking any necessary decisions at our AGM in July

At all times we will ensure we take account of the different legislative and regulatory environments in Scotland and Northern Ireland.

We will:

- Publish an annual review of our progress
- Publish an annual safeguarding review.

## **6. TAKING ACTION AGAINST EVERY SINGLE RECOMMENDATION OF THE LEARNING REVIEW COMMISSIONED BY TELL JANE**

The executive summary of the Learning Review, which is based on HR principles and best practice, is published on our website. In order not to identify individuals involved in the complaint that was used as the basis of the review we are unable to publish the report in full. The Board has committed to take action around every recommendation made by Tell Jane in their Independent Learning Review.

<b>Tell Jane recommendation</b>		<b>Agreed action</b>
<b>Complaints &amp; Disciplinary Regulations</b>		
1	The person or person(s) conducting an investigation has no involvement or decision-making ability in any subsequent disciplinary process	We will have a simplified process with an investigation led by one person, who then reports to a disciplinary panel. Every complaint will be recorded and criteria to identify formal and informal complaints
2	The Chief Executive does not act as the investigating officer nor make initial enquiries and delegates this to either a trained person or person(s) within the organisation or to an external HR consultancy. The Chief Executive may still retain the ability to suspend a member pending an investigation. This also has the benefit of ensuring that the person or	Agreed. All investigations will be carried out independently. The CEO will only be able to suspend a member after agreement from the Chair of the Professional Standards Panel

	person(s) conducting the investigation has no involvement in any suspension	
3	Where suspension is necessary, the reasons should be kept confidential. The CIOF should control the communication about a member's suspension. It is also suggested that there is a point of contact given to the suspended member who can also answer any enquiries from other members and/or parties	All aspects of a disciplinary process are confidential. Criteria for suspension will be developed with the Safeguarding Task Group and the Professional Standards Panel. Decisions to communicate a suspension will be taken by the Professional Standards Panel as appropriate
4	A disciplinary panel conducts disciplinary hearings and makes disciplinary decisions. No disciplinary sanctions or warnings should be issued prior to a disciplinary hearing being held	A new Professional Standards Panel will be set up to have an overview of all professional standards issues. It will be responsible for setting up disciplinary panels, oversight of the complaints process and all issues related to our Code of Conduct and the Code of Behaviour at events
5	Consider including criteria for publicising complaints resulting in disciplinary sanctions and how they are publicised	Agreed. We will also consider this for suspension as well
<b>The Complaints Policy</b>		
6	It is suggested that the wording is revised so that members understand that they can report complaints of sexual harassment anonymously and confidentially via the Tell Jane hotline in the first instance	Agreed We will implement a consistent approach about other complex complaints, including all forms of harassment, race discrimination and abuse. A new Safeguarding and Complaint Manger role will manage the process and ensure all complaints are appropriately addressed
7	Make it clear in the policy to whom within the Institute of Fundraising members can raise complaints and/or concerns about sexual harassment	The Safeguarding Task Group will develop a strong and coherent system including training staff and volunteers. The new Safeguarding and Complaint Manger role will manage this
8	Allow complaints to be initially submitted verbally and informally, a record of which can then be made during any subsequent investigation process, or acknowledged in	Every single concern or complaint will be recorded, however submitted. The Safeguarding Task Group will lead on developing the recording systems and procedures

	writing, should the member wish to withdraw the complaint at a later date	
9	Change any wording to make it explicit that any allegations of sexual harassment will be fully investigated before any disciplinary action is taken	Agreed. Wording to be developed with the Safeguarding Task Group and checked by our lawyers for England and Wales, Scotland, and Northern Ireland
10	Consider detailing a separate process for complaints about sexual harassment	The Professional Standards Panel will lead on developing the right policies and processes for different types of complaint, noting the CIPD complaints process and checklist
11	Offer anonymity only if requested and there is a good reason. Members are still able to raise anonymous complaints via the Tell Jane hotline	Complainants will be able to make anonymous complaints. These will be recorded as anonymous. Complainants may subsequently need to be identified to investigation officers during the investigation of a complaint. Confidentiality will be maintained throughout the process. We will follow the wishes of the complainant about when and how their identity is known
<b>Code of Conduct</b>		
12	Consider adding to the Code of Conduct a requirement by all members <i>to promote an inclusive environment that is free from harassment, bullying and discrimination.</i>	The Board agreed this change at its meeting on Thursday 25 March Responsibility for continuing to develop the Code of Conduct will rest with the new Professional Standards Panel. We will add the same wording to the organisational member commitment we are planning to roll out later this year
<b>Managing Disclosures</b>		
13	Similar to a Safeguarding Officer role, it is suggested that the organisation appoints a designated person or person(s) to whom disclosures are made/reported	This will be the new Safeguarding and Complaints Manager role
14	As a disclosure may be made to another member, it is important that all members know who to go to if a disclosure has been made to them and they are not in a position to deal with the complaint	The Safeguarding Task Group will consider how best to implement and communicate this. This will be supported by the new Safeguarding and Complaints Manager and training for all staff and volunteers

<b>Education and Training</b>		
15	Provide education and training on initial steps to take upon a disclosure of sexual harassment	Agreed. We will work with Tell Jane, or another specialist agency, to scope and deliver this
<b>Historic complaints</b>		
16	Review any historic complaints that were not investigated as complainants did not wish to make a formal complaint, or put it in writing, to assess whether there is any further action required	Agreed. We will complete this within the next 3 months
17	Provide training to any person or person(s) conducting investigations or appoint Tell Jane to conduct investigations. Tell Jane can also provide HR consultancy to help manage initial complaints at any part of the process	We will appoint Tell Jane or another specialist HR agency to conduct all investigations of sexual harassment
18	Consider introducing a member assistance programme to support members mental health during the investigation process	Agreed. The Professional Standards Panel will lead on scoping this

## 7. FURTHER ACTIONS

	<b>Issue</b>	<b>Action</b>
19	Clarification in relation to the difference between the informal and formal process	The Professional Standards Panel will develop a flow chart and explanation to explain how a revised system works, from the perspective of the complainant, alleged perpetrator, Tell Jane, CIOF. Including dealing with issues such as when a witness decides not to proceed with a complaint, what is communicated to whom etc. This process will be developed for other independent complaints reporting, such as racial abuse
20	Develop and adopt a broader and more powerful single safeguarding policy	The Safeguarding Task Group will develop a much broader safeguarding policy which specifically covers the safeguarding of adults, staff and volunteers, including issues related to sexual harassment, bullying and discrimination, privilege and power, and under which current Codes of Behaviour etc sits and specifically



		references all the relevant Charity Commission guidance
21	Recognition that different legal systems across the UK	Ensure that as we move forward, we take advice to ensure we are taking into account different legislative regimes around the UK
22	Complaints about members NOT related to sexual harassment, bullying or discrimination	Based on the findings of the Tell Jane review, and the wider look at how other professional bodies deal with complaints, the Professional Standards Board will lead on the development of a comprehensive complaints process for all types of complaints about members and staff
23	We have had legal challenges in relation to pursuing former members	We will amend our regulations to make it absolutely clear we will continue to pursue members for alleged poor behaviours if they leave the CIOF. Professional Standards Panel will action this as part of the changes to our policies and procedures

**If you have any questions or feedback about our actions and plans please email us at [TrusteeFeedback@institute-of-fundraising.org.uk](mailto:TrusteeFeedback@institute-of-fundraising.org.uk)**