

BULLYING & HARASSMENT POLICY (STAFF)

This policy link and should be read in conjunction with the following policies:

- Disciplinary Policy and Procedure
- Grievance Policy and Procedure

1. Policy Statement

1.1 The Organisation wishes to provide a stimulating and supportive working environment which will enable its staff to fulfil their personal potential and creativity. Such an environment cannot exist where any member of staff is subjected to harassment, intimidation, aggression or coercion.

1.2 The Organisation is fully committed to the principles of equal opportunities and equality and diversity in the workplace and regards harassment as a form of discrimination.

1.3 The Organisation will treat any incident or harassment as a serious matter which may lead to a disciplinary action according to the terms of The Organisation's Disciplinary Policy and Procedure, being taken against the perpetrator.

1.4 All employees are responsible for ensuring that personal harassment and/or bullying of another member of staff does not occur.

1.5 Harassment and/or bullying of employees outside The Organisation premises or working hours may nevertheless fall within the remit of this policy and its procedures.

1.6 In addition to any penalty imposed by The Organisation, those responsible for harassing and/or bullying others may be subject to criminal and/or civil proceedings. Nothing within this policy will prevent employees from exercising their legal rights.

2. Harassment

2.1 Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may be on the grounds of sex, race, disability, sexual orientation, religion or beliefs, age, appearance or gender reassignment. For the purposes of this policy this list should be considered non- exhaustive, and harassment or bullying on any grounds will not be tolerated by The Organisation.

2.2 Harassment may be persistent or an isolated incident, obvious or subtle, face-to-face or indirect. It may even be through unequal or unfair application of monitoring systems, for example through computer monitoring of breaks where it is not applied to all employees.



2.3 Examples of behaviour which may constitute harassment or bullying include (but are not limited to):

- spreading malicious rumours
- professional or social exclusion
- unwelcome sexual advances
- unwelcome touching
- unfounded threats relating to job security.
- calculated undermining of an employee's competence, for example through a consistently unreasonable or unfair workload or unnecessary circulation of critical memoranda.
- physical assault.
- verbal abuse, threats, derogatory name-calling, ridicule, insults and jokes.
- derogatory graffiti/insignia or display of derogatory or offensive material; and
- inciting others to commit any of the above.

3. Unlawful Grounds of Harassment and Bullying

3.1 The Organisation wishes to reiterate that it will not tolerate any instance of harassment or bullying regardless of the grounds. The following however are expressly unlawful grounds on which a person may experience harassment or bullying:

(a) Sex: Harassment or bullying on the grounds of a person's sex.

(b) Sexual Harassment: This is distinct from sex harassment, as it is conduct of a physical, verbal or non-verbal that is sexual in nature. Some examples of sexual harassment include (not exhaustive):

- Indecent assault.
- Deliberate physical contact to which the individual has not consented or had the opportunity to object to.
- Offensive or derogatory language alluding to a person's private life or sexual behaviour or orientation by innuendo, jokes or remarks.
- Provocative suggestions.
- The display of suggestive or pornographic material.
- Unwelcome repeated telephone calls, letters or emails.

(c) Race: Harassment or bullying on the grounds of race, colour, ethnicity or nationality, be it deliberate or otherwise. Some examples of racial harassment include (not exhaustive):

- Physical attack.
- Verbal abuse, threats, derogatory name-calling, racist insults and jokes.
- Ridicule of an individual on racial or cultural grounds.
- Unfair allocation of work and/or responsibilities.
- Racist graffiti/insignia or display of racist material.



- Inciting others to commit any of the above.

(d) Disability: Bullying or harassment on the grounds of a person's disability or impairment.

(e) Sexual Orientation: Bullying or harassment on the grounds of a person's sexual orientation, applying equally to "same sex" orientation, "opposite sex" orientation and "both sexes" orientation.

(f) Religion or Belief: Harassment or bullying on the grounds of a person's religion or beliefs. Some examples of religious harassment include (non-exhaustive):

- Physical attack.
- Verbal abuse, threats, derogatory name-calling, religious insults and jokes.
- Ridicule of an individual on grounds of religion.
- Exclusion from normal workplace interactions and social events.
- Unfair allocation of work and/or responsibilities.
- Inciting others to commit any of the above.

(g) Age: Harassment on the grounds of a person's age, applying equally to all people regardless of age. Some examples of ageist harassment include (not exhaustive):

- Attitude or assumptions and stereotyping which are prejudicial to older or younger people.
- Derogatory remarks or behaviour.
- Expressing prejudicial assumptions about abilities.
- Excluding people from social activities.

(h) Grievance: Harassment or bullying as a consequence of a person raising a grievance.

4. Complaints

4.1 Any employee who feels that they have been subjected to harassment or bullying by any other member of staff should raise the matter according to one, or both, of the following methods.

(a) Informal Procedure: If you feel able, you should speak up at the time when you feel that you are being harassed or bullied. It is important to be direct and to state explicitly that you feel you are being harassed and that the behaviour is unacceptable to you. You could also discuss the matter with another colleague or your supervisor and ask them to speak to the harasser on your behalf. Alternatively, if you feel you are unable to speak directly to the harasser, you could write a letter to them which clearly identifies the offending behaviour and

requesting that it stops immediately. You should sign and date any such letter and ensure that you keep a copy for any possible future formal complaint.

(b) Formal Procedure: Any employee who feels that they have been subjected to harassment or bullying may at any time decide to deal with the issue through formal procedures, regardless of whether informal steps have been taken or not.

Where an employee wishes to deal with any issue of harassment formally, they must do so according to The Organisation's Grievance Policy & Procedure.

The Organisation will treat any complaint received under this Policy confidentially.

Third Party Harassment

Third party harassment refers to harassment of an employee by any person who is not an employee of The Organisation. Third party harassers may include:

- customers or clients of The Organisation.
- suppliers of The Organisation; and
- independent contractors.

Any employee who believes that they have been the victim of third-party harassment should immediately inform their Line Manager of the incident.

5.3 Where an employee has been harassed on more than one occasion, The Organisation will take such steps as are reasonably practicable to prevent any recurrence. For the purposes of third-party harassment, it is immaterial whether the third party harasser is a different person in each instance of harassment.

6. Consequences of Breach

6.1 Harassment is a disciplinary offence and will be dealt with according to The Organisation's Disciplinary Policy & Procedure. Bullying, harassment, victimisation or discrimination may constitute gross misconduct, punishable by summary dismissal without notice.

6.2 Employees should bear in mind that harassment or bullying may also constitute a criminal offence punishable by a fine and / or imprisonment.

7. Bullying

7.1 Bullying in the workplace damages individuals' health and lives and also undermines productivity and effective work relationships. Bullying can occur when a person in any position uses an opportunity of authority to intimidate a subordinate, in peer relationships or, in some cases, may affect someone in a superior position.



7.2 Bullying can be broadly defined as behaviour which consistently undermines another’s confidence reducing feelings or self-esteem and self-worth. Such behaviour may be deliberate as in a planned campaign, or may arise out of the bully’s own immaturity, lack of interpersonal skills and poor self-confidence. It is generally psychological, rarely though sometimes physical, and may also be exacerbated by the bully’s own susceptibility and reaction to stress. Workplace bullying consists of the abuse of power and the regular use of inappropriate behaviours at the expense of another individual. Some examples of these behaviours include:

- Physical or verbal abuse, including threats.
- Psychological intimidation, humiliation, excessive and/or unreasonable criticism.
- Unjustifiable removal or areas of responsibility.
- Ostracism or exclusion.
- Malicious lies.
- Setting unreasonable and unrealistic goals/targets.
- “Academic bullying”, i.e., asserting a position of intellectual superiority in an aggressive, abusive or offensive manner.
- Threats of academic failure.
- Public sarcasm and humiliation.

7.3 Legitimate, constructive and fair criticism of an employee’s performance or behaviour at work will not be considered to be bullying or harassment. The Organisation will not condone bullying under the guise of “strong management” but conversely, regards an assertive management style as acceptable provided that staff are treated with respect and dignity.

8. Consequences of Breach

8.1 Harassment is a disciplinary offence and will be dealt with according to The Organisation’s Disciplinary Policy & Procedure. Bullying, harassment, victimisation, or discrimination may constitute gross misconduct, punishable by summary dismissal without notice.

8.2 Employees should bear in mind that harassment or bullying may also constitute a criminal offence punishable by a fine and/or imprisonment.

Last updated	Next review	Person responsible
July 2022	July 2023	WR