



## **Bullying and Harassment Policy**

## **Introduction**

The Company is committed to encouraging and maintaining good employee relations within a friendly, safe and inclusive working environment. In addition to the obligations placed upon both employers and employees by the Equality Act 2010, everyone has the right to be treated with consideration, fairness, dignity and respect. This contributes to a workplace environment in which individuals feel safe and can work effectively competently and confidently.

This policy applies to all directors, officers, employees and contractors working for or on behalf of the Company. It also extends to temporary, casual or agency staff, interns and work experience students.

This policy should be read in conjunction with the Equal Opportunities Policy which sets out the Company's provisions and requirements in relation to the Equality Act 2010.

## **Responsibilities**

Each and every individual to whom this policy applies has the responsibility to ensure that their conduct abides by the principles of this policy. In addition:

### **a. Directors and Partners**

Those with responsibility for the overall management of the Company must maintain the highest standards of conduct as an example to the rest of the work force.

It is also their responsibility that any allegations or instances of bullying and harassment are dealt with in accordance with the aims of this policy and relevant company procedures. They understand that the Company can be held liable for instances of bullying or harassment where they have been ignored or mismanaged.

They must also ensure that this policy is communicated to all staff and that it is reviewed and kept up to date.

### **b. Managers**

Those with management responsibilities will often be the first person to be made aware of an allegation of bullying and harassment and it is therefore imperative that they fully inform themselves of the provisions of this policy.

Managers should keep themselves alert to the possibility of bullying and harassment within their teams and throughout the organisation. Dealing with issues at an early stage will make it far easier to resolve issues and to ensure that the principles of this policy are achieved.

### **c. Employees, contractors, temporary staff and other workers**

Where an individual witnesses instances of bullying or harassment they must refer it immediately to their manager, or if not appropriate or possible, another member of the management team.

## **Principles**

The key principles of this policy are:

- All staff have the right to be treated with dignity and respect.
- All staff have the right to be treated fairly and not be subjected to unlawful discrimination.
- All reported alleged harassment or bullying will be responded to in accordance with this policy. Should the alleged complaint involve an individual's Line Manager as either alleged perpetrator

- or witness the complaint should be reported to the next level of management.
- Staff are encouraged to try to resolve complaints through the informal procedure where that is appropriate.
- Mediation either internally or from an external source will be considered where appropriate as part of the informal procedure.
- Employees who are the subject of an alleged complaint are entitled to be provided with details of the alleged complaint and to respond. Complaints under the formal approach will be taken forward in accordance with the Company Grievance Procedure.
- Where during the course of investigation of a complaint it is determined that a disciplinary investigation is required then this will be undertaken in accordance with the Company Disciplinary Procedure.
- Harassment, victimisation, bullying and unlawful discrimination may result in disciplinary action up to and including dismissal.
- Any malicious or vexatious complaints may also result in the Disciplinary Procedure being invoked.
- Access to sources of advice and confidential counselling are available to staff.
- Managers and sources of support will be provided with development to support them in the application of the policy.

## **Defining bullying and harassment**

Harassment may be defined as any conduct which is:

- unwanted by the recipient
- is considered objectionable
- causes humiliation, offence, distress or other detrimental effect

Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals. Harassment may be, but is not limited to:

- Physical contact - ranging from touching to serious assault, gestures, intimidation, aggressive behaviour.
- Verbal ? unwelcome remarks, suggestions and propositions, malicious gossip, jokes and banter, offensive language.
- Non-verbal ? offensive literature or pictures, graffiti and computer imagery, isolation or non-co-operation and exclusion or isolation from social activities.

Bullying is unlikely to be a single or isolated instance. It is usually, but not exclusively repeated and persistent behaviour which is offensive, abusive, intimidating, malicious or insulting. Bullying includes but is not limited to:

- Conduct which is intimidating, physically abusive or threatening
- Conduct that denigrates, ridicules or humiliates an individual, especially in front of colleagues
- Humiliating an individual in front of colleagues
- Picking on one person when there is a common problem
- Shouting at an individual to get things done
- Consistently undermining someone and their ability to do the job
- Setting unrealistic targets or excessive workloads
- "cyber bullying" i.e. bullying via e-mail. (This should be borne in mind where employees are working remotely and are managed by e-mail. Care and sensitivity should be practised with regard to the choice of context and language).
- Setting an individual up to fail e.g. by giving inadequate instructions or unreasonable deadlines.

Harassment and Bullying may be summarised as any behaviour that is unwanted by the person to whom it is directed. It is the impact of the behaviour rather than the intent of the perpetrator that is the determinant as to whether harassment or bullying has occurred.

## **Procedural considerations**

If it is considered that one of the parties concerned in a harassment or bullying case should be moved from their current workplace, then as a matter of principle the Company will normally remove the alleged perpetrator rather than the complainant. However, the final decision on who should be moved should reflect the particular circumstances of the case. It should be noted and explained to those concerned that the moving of either party is not an implication of guilt or culpability and no detriment to either party will be construed as a consequence.

All matters relating to the investigation of complaints of harassment or bullying will be treated in strict confidence. Any breach of confidentiality in this regard may render those responsible liable to disciplinary actions. However, it will be necessary that any alleged perpetrator is made aware of the allegations against them and the name(s) of those making the allegations together with the name(s) of any witnesses.

No employee will be victimised or suffer detriment for making a complaint of harassment or bullying and no manager shall threaten either explicitly or implicitly that an employee's complaint will be used as the basis for decisions affecting that employee. Such conduct will be treated as a very serious disciplinary offence. Similarly, managers are required to act on any complaint of harassment or bullying. Failure to do so will be regarded as misconduct which if proven, will result in disciplinary action.

This policy and procedure will be reviewed periodically giving due consideration to legislative changes.