



# Bullying and Harassment Policy 2020

# Bullying and Harassment Policy

## Purpose

We are committed to ensuring that we are able to provide a working environment which is harmonious and acceptable to all. We recognised that harassment in the workplace, in any form is unacceptable.

We are committed to ensuring that our employees are protected from unlawful harassment, discrimination, victimisation or bullying. Anyone who believes that they are being subjected to such treatment must remove themselves from the situation immediately and report it to their Line manager. The matter will be dealt with promptly, confidentiality, fairly and respectfully.

We will prevent any employee who has taken action against discrimination, harassment or bullying being subject to victimisation and will take prompt action to deal with such situations.

Disciplinary action, including dismissal, will be taken against those failing to fulfil their responsibilities under this Policy.

We acknowledge that third parties who are not our employees may undertake unlawful harassment, discrimination, victimisation and/or or bullying and we will not permit or condone such behaviour. In such situations, where we are in a position to control it, we will take the most appropriate action.

## Harassment

The Equality Act, 2010 defines harassment as *'unwanted conduct related to a relevant protected characteristic, 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.'*

Examples of harassment or bullying behaviour include (but are not limited to):

- Derogatory remarks.
- Insensitive jokes or pranks.
- Insulting or aggressive behaviour.
- Ignoring or excluding an individual.
- Setting unrealistic deadlines.
- Public criticism.
- Substituting responsible tasks with menial or trivial ones.
- Withholding necessary information.
- Constantly undervaluing effort.

The actions listed above must be viewed in terms of the distress they cause the individual. It is the perception of the recipient that determines whether any action or statement can be viewed as harassment or bullying.

## **Sexual Harassment**

Sexual harassment is any behaviour, which is to the detriment of an employee who suffers injury to feelings or assault because of their sex or sexual orientation. Sexual harassment takes many forms, from relatively mild sexual banter to actual physical violence.

Examples of sexual harassment include (but are not limited to):

- Insensitive comments and pranks.
- Lewd comments about appearance.
- Unnecessary body contact.
- Displays of sexually offensive material.
- Physical violence.
- Requests of sexual favours.
- Speculation about a person's private life and sexual activities.
- Threatened or actual sexual violence.
- Threat of dismissal or loss of promotion for refusal of sexual favours.

Employees may not always realise their behaviour constitutes sexual harassment and you should recognise that what is acceptable to one person may not be acceptable to another. Sexual harassment is unwanted behaviour of a sexual nature by one employee towards another.

## **Racial Harassment**

Racial harassment comprises of any behaviour which is to the detriment of an employee and which is based on the grounds of colour, race, nationality, ethnic origin and national origin. Racial harassment can also take on many forms, from relatively minor abuse to actual physical violence.

Examples of racial harassment include (but are not limited to):

- Insensitive jokes related to race.
- The use of patronising words, or actions towards an individual for racial reasons, including name calling, insults and racial jokes.
- Pranks.
- Abusive, threatening or insulting words or behaviour.
- Physical assault or abuse against a person or group of people because of their race, colour, nationality or ethnicity.
- Displaying abusive words or pictures.
- Racist graffiti or any other written insults or the distribution of racist literature.
- Deliberate exclusions from conversations.

## **Bullying**

Bullying is not specifically defined in law, however ACAS (Advisory, Conciliation & Arbitration Service) provide the following definition: *'Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient'*.

Examples of bullying include (but are not limited to):

- **Emotional:** Being deliberately unkind, shunning or excluding another person from a group or tormenting them. For example, forcing another person to be 'left out' of a conversation or activity, passing notes about others or making fun of another person.
- **Physical:** Pushing, scratching, spitting, kicking, hitting, biting, taking or damaging belongings, tripping up, punching or using any other sort of violence against another person.
- **Verbal:** Name-calling, put-downs, ridiculing or using words to attack, threats or insults. For example, spreading rumours or making fun of another person's appearance.
- **Psychological:** Behaviour likely to instil a sense of fear or anxiety in another person.
- **Racist:** Racial taunts, graffiti or gestures.
- **Sexual:** Unwanted physical contact or sexually abusive comments.
- **Homophobic:** Because of, or focusing on, the issue of sexuality.
- **Cyber:** Any of the above forms of bullying through use of the internet (emails, social networking sites and internet chat rooms), mobile phones (text messaging and calls) and the misuse of camera phones and video facilities.

These examples are not exhaustive. Everyone has a responsibility to consider their behaviour, the language or phrases they use at work and the impact that this may have on others.

## **Procedure**

Everyone has a duty to inform their line manager in the first instance. Whether you feel that you are a victim of, or a witness of any incident(s) that could constitute unlawful harassment, discrimination, victimisation or bullying.

Should however, your complaint be against your line manager you should address your concerns to another appropriate member of the management team.

All matters will be viewed seriously and treated confidentially and dealt with in-line with our Grievance Policy.

Equally, we will recognise the sensitive nature of any complaints of sexual harassment by allowing female employees who wish to discuss such complaints in confidence, to do so, by confiding in a female manager and male employees requesting a male manager.

### **Informal Procedure**

If possible, the person who is harassing, victimising, discriminating and/or bullying should be told by the individual who is subject to this behaviour that this is offensive or unwanted and must stop. A line manager can act as a witness when this approach is made. Alternatively, the line manager can speak to the person against which the allegations are being made. In many cases, this may be sufficient to ensure that the situation is dealt with.

### **Formal Procedure**

Where an informal approach fails, you choose not to use it, or you consider the issue is sufficiently serious, a formal complaint should be made in writing. Our Grievance Policy and process should be followed and you should describe the complaint and/or incident(s) as fully as possible.

More information can be found at:

<https://www.legislation.gov.uk/ukpga/2010/15/contents>