



POLICY and PROCEDURE DOCUMENT

Procedure title: **ANTI-HARASSMENT and ANTI-BULLYING**

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Document control

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BARTON HILL SETTLEMENT

INTRODUCTION

Barton Hill Settlement is committed to an environment that is free from any form of harassment or bullying. Respect for each other's rights, privileges and sensibilities are essential in preserving the community spirit within Barton Hill Settlement.

Harassment is defined in the Equality Act 2010 as *'unwanted conduct related to a relevant protected characteristic, which has a purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'*.

Harassment and bullying adversely affects working and social conditions for staff, volunteers and visitors to the Settlement, and is unlawful and totally unacceptable. Any incident of harassment or bullying will be regarded very seriously and may be grounds for disciplinary action.

EXAMPLES OF UNACCEPTABLE BEHAVIOUR

- Comments, gestures, or insensitive jokes.
- Spreading malicious rumours, or insulting someone by word or behaviour.
- Copying memos that are critical about someone to others who do not need to know.
- Ridiculing or demeaning someone.
- Picking on someone, or setting them up to fail.
- Exclusion or victimisation.
- Unfair treatment.
- Overbearing supervision or other misuse of power or position.
- Unwelcome sexual advances - touches, standing too close, display of offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected.

Harassment and bullying is not necessarily face to face, it may occur through written communication, visual images, email, and phone.

POLICY

We deplore all forms of harassment and bullying, and we seek to ensure that the working environment is sympathetic to all our employees and volunteers.

We have published this policy and procedure to inform employees of the type of behaviour that is unacceptable and provide employees who are victims of harassment or bullying with a means to redress.

We recognise that we have a duty to implement this policy and all employees are expected to comply with it.

CONFIDENTIALITY

Barton Hill Settlement will respect the particular sensitivity of harassment/bullying complaints and their consequences and the need for confidentiality. As a general principle, confidentiality will be agreed and maintained wherever possible. There may be situations where confidentiality has to be broken, and this will be made clear to the complainant. For example, if the complainant tells a member of staff in confidence something that constitutes an unacceptable risk to the complainant, another person or the organisation itself, the staff member will have to take action.

PROCEDURE

COMPLAINING ABOUT HARASSMENT OR BULLYING

Informal complaint

We recognise that complaints of harassment and bullying, particularly sexual harassment can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal

grievance procedure. In these circumstances you are encouraged to raise such issues with a senior staff member of your choice (whether or not that person is your line manager) as a confidential helper. This person cannot be the CEO, who will be responsible for investigating the matter if it becomes a formal complaint.

If you are the victim of minor harassment or bullying, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser, and your confidential helper can assist you in this.

Formal complaint

Where the informal approach fails, or if the harassment is more serious, you should bring the matter to the attention of the CEO as a formal written complaint and, again, your confidential helper can assist you in this. If possible, you should keep notes of the harassment or bullying so that the written complaint can include:

- The name of the alleged harasser,
- The nature of the alleged harassment or bullying,
- The dates and times when the alleged harassment or bullying occurred,
- The names of any witnesses,
- Any action already taken by you to stop the alleged harassment or bullying.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with pay until the matter has been resolved.

The person dealing with the complaint will carry out a thorough investigation in accordance with our grievance or disciplinary procedure. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

When the investigation has been concluded, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to the complainant and the alleged harasser.

If the complainant or the alleged harasser are dissatisfied with the draft report, or with the proposed decision, this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered by the investigator before a final report is sent, in writing, to the complainant and the alleged harasser.

GENERAL NOTES

If the report concludes that the allegation is well founded, the harasser will be subject to grievance or disciplinary action in accordance with our disciplinary or grievance procedures. An employee who receives a formal warning, or who is dismissed for harassment or bullying, may appeal against the disciplinary action by using the disciplinary appeal procedure.

If an employee brings a complaint of harassment or bullying then that person will not be victimised for having brought the complaint. However if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against them.