**Bullying and Harassment Policy**

**Introduction**

To promote a working environment which is free from harassment and bullying and to ensure that all employees, and any third parties with whom we come into contact, (e.g. customers, suppliers, contractors, etc), are treated with dignity and respect.

**Purpose**

This policy defines bullying and harassment and describes what actions should be taken if either occur. It is the responsibility of all employees and any third parties to comply with this procedure and the particular responsibility of supervisors and managers to ensure it is carried out, with a view to developing and maintaining a working environment in which harassment and bullying are understood by all to be unacceptable.

**Scope**

This policy and the procedures contained within it apply to employees and contractors.

**The Charity's position on Bullying and Harassment**

All employees, contractors or third parties have a duty not to bully or harass each other or to help anyone else to do so.

We will not tolerate bullying or harassment in our workplace, or at work-related events outside of the workplace, whatever the seniority of the perpetrator and whether the conduct is a one-off act or repeated course of action, and whether done purposefully or not. Neither will we tolerate retaliation against, or victimisation of, any person involved in the bringing of a complaint of harassment or bullying. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone you could be liable to compensate the victim.

We will take appropriate action if any of our employees or contractors are bullied or harassed by another employee, our customers or suppliers or any other third party whom our staff may come into contact with.

If, after investigation, we decide that you have harassed or bullied another employee, contractor or third party, then you may be subject to disciplinary action, up to and including dismissal. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. Employees, contractors or third parties who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

False accusations of harassment or bullying can have a serious effect on innocent individuals. You have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure or by recourse to the relevant third party.

What type of treatment amounts to Bullying and Harassment?

‘Bullying’ or ‘harassment’ are phrases that apply to treatment from one person (or a group of people) to another that is unwanted and that has the effect of violating that person’s dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Examples of bullying and harassment include, but are not limited to:

* Verbal or online abuse or offensive comments, jokes or pranks related to age, disability, gender re-assignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
* lewd or suggestive comments
* display of ‘pin-ups’, pornography, inflammatory or abusive literature or graffiti
* deliberate exclusion from conversations or work activities
* withholding information, a person needs in order to do their job
* practical jokes, initiation ceremonies or inappropriate birthday rituals
* physical abuse such as hitting, pushing or jostling
* rifling through, hiding or damaging personal property
* subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others

Bullying does not include appropriate criticism of an employee’s behaviour or proper performance management.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. People should therefore always be treated with respect and appropriate sensitivity.

**Cyber Bullying**

The rise of online networking and the use of social media has seen the growth in a new type of bullying. Cyber bullying may be defined as the use of electronic communication, particularly mobile phones and the internet to bully a person, by sending messages of an intimidating or threatening nature. It can spill from on-screen to off-screen and affect the face-to-face interactions between colleagues at work and away from work.

Cyber bullying can happen in a number of ways: inappropriate photographs may be posted; offensive or threatening comments might be made; or sensitive personal information could be revealed. This could be done accidentally or vindictively.

As a general rule:

* Always respect others – think about what you say online and what images you send/post
* Remember that anything you publish online can be made public very quickly and you will never be sure who may have seen it. Once something is posted you lose control
* Do not retaliate or reply to nasty messages, instead raise it with a trustee
* Save any evidence if possible, e.g. text messages, online conversation, pictures etc
* If you witness cyberbullying, always report it to a trustee
* Always think carefully before you post and do not post any information (photos, videos, comments) publicly online that you would not want employers, colleagues, or any member of the public to see
* Posting something unsafe, inappropriate, obscene or threatening online could lead to criminal, civil and/or disciplinary action.
* Cyber bullying can make people feel very distressed and alone and will not be tolerated.

**What you should do if you are being bullied or harassed by a customer or supplier (or a third party)**

If you are being bullied or harassed by a customer, supplier or someone else with whom you come into contact at work, please raise this with a trustee. We will then decide how best to deal with the situation, in consultation with you.

**What you should do if you are being bullied or harassed by a colleague**

If you are being bullied or harassed by another employee there are two possible avenues for you, informal or formal.

**Informal resolution**

If you are being bullied or harassed by another employee, you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask a colleague or trustee to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by a trustee, you should raise the issue with a different trustee. They can try to resolve the situation informally by telling the alleged perpetrator(s), without prejudging the matter, that: there has been a complaint that their behaviour is having an adverse effect on a fellow employee; such behaviour is contrary to our policy; and the continuation of such behaviour could amount to a serious disciplinary offence. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party (a mediator) to facilitate a resolution of the problem. We will discuss this with you if it is appropriate and obtain your informed consent to disclosure of details of the case to that person.

If your complaint is resolved informally, the alleged perpetrator(s) will not be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual harassment or in cases where the behaviour has occurred before) we may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

**Formal complaints procedure**

If informal resolution is unsuccessful or inappropriate, you can make a formal written complaint about the harassment or bullying to atrustee. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to co-operate with the investigation and provide the following details (if not already provided): the name of the alleged perpetrator(s), the nature of the harassment or bullying, the dates and times the harassment or bullying occurred, the names of any witnesses and any action taken by you to resolve the matter informally. The alleged perpetrator(s) would normally need to be told your name and the details of your complaint in order for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible, and in accordance with our Employment Data Protection Policy.

Where you and the alleged perpetrator(s) work in proximity to each other, we may think it inappropriate for you to continue to do so whilst the complaint is being investigated and during any consequent disciplinary proceedings. If so, we may decide to:

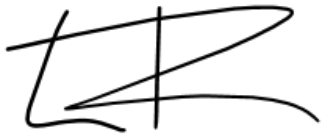
* transfer one of you
* transfer both of you
* send one of you home on full pay
* send both of you home on full pay

After the investigation, we will meet with you to consider the complaint and the findings of the investigation. At the meeting, you may be accompanied by a fellow worker or an accredited trade union official.

After the meeting (and normally within five working days), we will write to you to inform you of our decision and to notify you of your right to appeal. if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with our decision. You should submit your appeal within five working days of receiving written confirmation of our decision. If you submit an appeal, you will normally be invited to attend a meeting to consider it. We will write to you afterwards to confirm our final decision.

Where we think that a disciplinary offence might have been committed, we will instigate our disciplinary procedure. We will keep you informed of the outcome.

17.8.23

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