



## BULLYING & HARASSMENT POLICY

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May 2021	SS/JMc	Policy Review Group	June 2021
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# BULLYING AND HARASSMENT POLICY

## 1. Introduction

As part of its overall commitment to equality of opportunity, Triple C (Liverpool), hereafter referred to as the charity is fully committed to promoting a good and harmonious working environment where every staff member and volunteer is treated with respect and dignity, and in which no worker feels threatened or intimidated because of his/her religious beliefs, gender, age, sexuality, marital status, disability, race or any other reason. The aim of this policy is to prevent bullying and/or harassment, and to provide guidance to resolve any problems and prevent recurrence.

## 2. Scope

Any form of bullying or harassment at the charity is unacceptable behaviour and will not be permitted. Sexual and racial harassment, as well as harassing a disabled person on account of disability, constitute as discrimination and are unlawful under sex discrimination, fair employment, race relations and disability legislation. Harassment may also be a civil offence; a criminal offence and it may contravene health and safety legislation.

Bullying and/or harassment detracts from an effective working environment and can affect the health, confidence, morale and performance of those affected by it, including anyone who witnesses or knows about the unwanted behaviour. This can have a direct impact on the effectiveness of the charity.

Bullying and/or harassment is inappropriate behaviour at work and will be treated by the charity as misconduct, which may include gross misconduct warranting dismissal. All employees must comply with this policy.

## 3. Social Occasions

Please note that it has been established by the courts, that social occasions organised by an employer will be considered to be an extension of employment and, therefore, any acts that take place will be deemed to have taken place 'in the course of employment' and the employer will be held liable.

Even if the social event takes place out of office hours and is held in an external venue, it is likely to be considered an extension of employment. If the employer pays for some, or all, of costs, this is even more likely. Equally, if a manager invites their team down to the pub after work, this is also likely to be considered an extension of employment.

## 4. Definitions

**a. Harassment** – Harassment is defined in three ways by the Equality Act 2010:

- i. Unwanted conduct that has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment for the complainant, or violating the complainant's dignity (this applies to all the protected characteristics apart from pregnancy and maternity, and marriage and civil partnership).
- ii. Unwanted conduct of a sexual nature (sexual harassment).
- iii. Treating a person less favourably than another person because they have either submitted to, or did not submit to, sexual harassment or harassment related to sex or gender reassignment.

**b. Bullying** - Bullying is the persistent use of threatening behaviour with the aim of humiliating the recipient either publicly or privately. Such behaviour is unacceptable:

- i. Where it is unwanted, unreasonable and offensive to the recipient.
- ii. Where it is used as the basis for an employment decision.
- iii. Where it creates a hostile working environment.

Examples of bullying behaviour can be:

- Physical – pushing, poking, kicking, hitting, biting, pinching etc.
- Verbal - name calling, sarcasm, spreading rumours, threats, teasing, belittling
- Emotional – isolating others, tormenting, hiding books, threatening gestures, ridicule, humiliation, intimidating, excluding, manipulation and coercion
- Sexual – unwanted physical contact, inappropriate touching, abusive comments, homophobic abuse, exposure to inappropriate films etc.
- Online /cyber – posting on social media, sharing photos, sending nasty text messages, social exclusion
- Indirect - Can include the exploitation of individuals.

It should be noted that it is the impact of the behaviour which is relevant and not the motive or intent behind it.

## **5. Complaints**

5.1 All employees have the right to work in an environment free from any form of bullying or harassment. The charity fully recognises the right of employees to complain about bullying or harassment, should it occur. A complaint must be lodged within three months from the date of the alleged act of bullying or harassment. All complaints should be made to the Operations Manager or Chair of Trustees and will be dealt with seriously, promptly and confidentially.

5.2 Every effort will be made to ensure that employees making complaints, and those who give evidence or information in connection with the complaint will not be victimised. Victimisation is discrimination contrary to the Disability Discrimination Act 2010, Employment Act 2010, Race Relations Act 2010 and Sex Discrimination Act 2010. Any complaint of victimisation will be dealt with seriously, promptly and confidentially.

Victimisation will result in disciplinary action and may warrant dismissal.

5.3 Any complaints of bullying or harassment will be investigated and dealt with in line with the charity complaints policy.

## **6. The Responsibilities of Staff**

6.1 All members of staff have a responsibility to help ensure a working environment in which the dignity of all staff is respected. Everyone must comply with this policy and all members of staff should ensure that their behaviour to colleagues does not cause offence and could not in any way be considered to be bullying or harassment.

6.2 All staff should discourage bullying and harassment by making it clear that they find such behaviour unacceptable, and by supporting colleagues if they suffer such treatment and are considering making a complaint. They should alert the Operations Manager or Chair of Trustees to any incident of bullying or harassment to enable the charity to deal with the matter.

## **7. Line Managers' Responsibilities**

7.1 Line Managers have a duty to implement this policy and to make every effort to ensure that bullying and harassment does not occur, particularly in work areas for which they are responsible. Line Managers have a responsibility for any incidents of bullying or harassment of which they are aware. If bullying or harassment does occur, they must effectively deal with the situation.

7.2 Managers must:

- a) Explain the policy to their staff and take steps to promote awareness of the procedure for dealing with complaints, and to ensure that each member of staff sees a copy.
- b) Be responsive to and supportive of any member of staff who makes an allegation; provide clear advice on the procedure to be adopted; maintain confidentiality; and seek to ensure that there is no further problem of victimisation after a complaint has been resolved.
- c) Set a good example by treating all staff with dignity and respect.

- d) Be alert to unacceptable behaviour and take appropriate action.
- e) Ensure that staff know how to raise problems.
- f) Report the incident for monitoring purposes to the Chair of Trustees (or vice-chair if appropriate).

## **8. Triple C Responsibilities**

In line with our complaints policy, the charity will ensure that adequate resources are made available to promote respect and dignity in the workplace and to deal effectively with complaints of bullying or harassment. This policy will be communicated to all employees and trustees to ensure that all are aware of their responsibilities. Appropriate training will be included on induction courses. In addition, those playing an official role in any formal complaints procedure will receive appropriate training.

## **9. Review**

This policy will be reviewed every three years. Furthermore, all incidents of bullying or harassment will be monitored by the Chair of Trustees in order that the Trustees may review the effectiveness of this policy.