



**Anti-bullying
And
Harassment
POLICY**

Written by: Naomi Fox

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Approved by:

Anti-bullying and Harassment policy

Aspire Ryde recognise that:

- Everyone deserves to be treated with respect and dignity.
- Every adult and child has the need and the right to work or play in a safe environment where safety, security, praise, recognition and the opportunity for taking responsibility are available.
- We must show appreciation of others by acknowledging individual qualities, contributions and progress.

The purpose of the policy:

- To ensure an environment where all individuals involved in Aspire Ryde are working together to prevent or stop bullying.
- To create a culture where bullying cannot develop and bullies can be offered the opportunity to change their behaviour.
- To provide an opportunity for self-assessment as an organisation and look at how we can incorporate our service users to work together to create policy.

This policy applies to all staff, including managers, trustees, paid staff, volunteers, sessional workers, students or anyone working on behalf of Aspire Ryde. It also applies to people working off site and at our premises and covers the behaviour of staff outside working hours, which may impact upon work or working relationships.

Policy Principles

Aspire Ryde has a zero-tolerance policy and will investigate vigorously any allegations of bullying or harassment, regardless of whether the matter has been raised formally or informally.

Harassment is unwanted by the recipient, is considered objectionable and causes humiliation, offence, distress or other detrimental effect. Harassment may be an isolated occurrence or repetitive: it may occur against one or more individuals.

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 and harassment can include:

- Unwanted physical contact i.e. pushing, kicking, hitting, pinching etc
- Unwanted verbal comments i.e. name-calling, gossip, persistent teasing and emotional torment through humiliation, comments regarding someones race, sexuality or gender
- Non-verbal – offensive literature or pictures, graffiti and computer imagery.
- Isolation from social activities or being continually ignored
- Abusive text messages, phone calls, emails, letters or chat room messages
- Conduct which is intimidating, physically abusive or threatening
- Conduct that denigrates, ridicules or humiliates an individual, especially 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, or setting unrealistic targets or excessive workloads

- 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.

Bullying Signs and Symptoms

Someone may indicate by signs or behaviour that he or she is being bullied. If someone shows signs of bullying this should always be investigated. Some possible signs are:

- Is frightened of walking to or from a specific place or avoiding it completely
- Changes their usual routine
- Does not attend work when expected
- Becomes withdrawn anxious, or lacking in confidence
- Starts stammering
- Attempts or threatens suicide or runs away
- Concentration at work is poor (things on their mind)
- Has possessions which are damaged or "go missing"
- Becomes aggressive, disruptive or unreasonable
- Is bullying other staff/volunteers
- Stops eating
- Is frightened to say what's wrong
- Gives improbable excuses for any of the above
- Is afraid to use the internet or mobile phone
- Is nervous & jumpy when a cyber message is received

This list is not exhaustive

These signs and behaviours could indicate other problems, but bullying should be considered a possibility and should be investigated

Everyone carries a personal responsibility for their own behaviour and for ensuring that their conduct is in accordance with the principles set out in this policy. In addition, each person has a responsibility to report any instance of bullying or harassment which they witness or which comes to their attention. Employees have a responsibility to act as role models, pro-actively addressing instances of bullying and harassment.

Procedures

Any instance of bullying should be reported immediately to management for investigation.

When a complaint of Harassment or Bullying is brought to the attention of management at any level, whether informally or formally, prompt action must be taken to investigate the matter. Corrective action must be taken where appropriate and this may require an investigation under the Disciplinary Policy.

If it is appropriate for one of the parties concerned to be moved to a different department from their current workplace, then 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. Indeed it may be deemed necessary to suspend either or both parties if required.

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.

Resolution

Informal

Very often people are not aware that their behaviour is unwelcome or misunderstood and an informal discussion can lead to greater understanding and agreement that the behaviour will cease.

Complainants are therefore encouraged to try, if they feel able to do so, to resolve the problem informally by making it clear to the alleged harasser that his/her actions are unwanted and should not be repeated. This may be done verbally or in writing in which case the complainant should keep a copy of the documentation and, where possible, the times and dates of incidents should be recorded.

If the complainant feels unable to approach the alleged harasser, a colleague, could speak to the alleged harasser on the complainant's behalf. A note should be made of the action taken and on both staff and volunteers file.

An individual who is made aware that their behaviour is unacceptable should:-

- Listen carefully to the complaints and the particular concerns raised;
- Respect the other person's point of view: everyone has a right to work in an environment free from harassment/intimidation;
- Understand and acknowledge that it is the other person's reaction/perception to another's behaviour that is important;
- Agree the aspects of behaviour that will change;
- Review their general conduct/behaviour at work and with workplace colleagues.

Formal Resolution

If the alleged harassment continues, the complainant feels unable or unwilling to deal with the matter informally, or the allegation is so serious as to prevent use of the informal procedure, a complaint should then be raised formally with management.

When dealing with a complaint of harassment under the Formal Resolution Procedure, the relevant manager should:

- Take full details of the incidents in writing from the complainant (if appropriate).
- Take full details from any witnesses/other complainants who come forward and may have witnessed the alleged behaviour
- Inform the alleged harasser of the complaints against them, and invite them to a meeting in order that they can comment on the allegations against them
- Keep all parties informed of expected timescales.
- Inform all parties in writing of the outcome and any action that may be required.

If the allegations and the working situation warrant it, the alleged harasser may be suspended during the investigation (in accordance with established disciplinary procedure) or transferred temporarily pending the outcome of the inquiry to another Department.

Should there be a case to answer against the alleged harasser, the normal disciplinary procedure for misconduct/gross misconduct should then be followed. However, the following points should be taken into account:-

- The complainant will normally be required to attend the disciplinary hearing as a witness, unless there are exceptional circumstances which prevent them from doing so;
- If the complainant is required to attend, they are entitled to be accompanied by a work colleague and have any questions directed through that person.

If the complaint is upheld at the disciplinary stage, there are a number of possible outcomes for the harasser, depending on the evidence presented and the circumstances. These could include, but are not limited to:-

- Dismissal
- A formal warning
- A recommendation of redeployment of the harasser, either on a temporary or a permanent basis. This will not be on any less favourable terms and conditions of employment.
- Attendance of specified training courses
- Implementation of other sanctions as detailed in the Company's Disciplinary Policy.
- Making arrangements for both parties to work as separately as possible within the same workplace.

It should also be noted that the complainant may wish to move to a different section depending upon the nature of the complaint and the people involved. Appropriate consideration should be given to this request and the outcome with reasons provided to the complainant.

With any allegation, the need for a thorough and objective investigation is paramount. Consequently, if through the course of the investigation evidence demonstrates that the allegation has been made frivolously, maliciously, or for personal gain, then the individual making the complaint may be subject to Disciplinary proceedings as outlined in the Company's Disciplinary Policy.

Appeals

Appeals against decisions taken under the Bullying and Harassment at Work Policy and Procedure shall be dealt with as follows:-

- Appeals against a disciplinary sanction will be dealt with in accordance with the appeals process in the Disciplinary Procedure.
- Appeals by a complainant about the outcome of any inquiry will be dealt with in accordance with the appeal process in the Grievance Policy.

Records

Where the complaint is informal and resolved at this stage, a brief record will be kept on personal files.

Following formal investigation, where the complaint is not substantiated, no records will be retained.

Where a complaint is substantiated or partially substantiated but does not proceed to disciplinary, a letter confirming the outcome will be retained on the personal file and supporting documentation retained in a separate file for a period of 12 months.

Where the matter proceeds to a disciplinary hearing then the storage of records should be in accordance with the disciplinary procedure.