BULLYING AND HARRASSMENT POLICY

**INTRODUCTION**

Even where not covered by the specific aspects stated within our polices, [Insert Company Name] shall not tolerate any form of harassment, victimisation or bullying within the places of work for our employees and workers.

**SCOPE**

[Insert Company Name] strives to provide an environment where everyone is treated with dignity and respect. We do not tolerate bullying and or harassment in any form, whether intended or not.

We are committed to promoting a working environment in which everyone is treated equally. This bullying and harassment policy is testament to our commitment and will be applied rigorously. The definitions provided within this policy are not exhaustive but represent what we consider to be bullying and harassment both in the workplace and other locations, such as on offsite locations, client premises, business trips or at work-related events or social functions; and sets out the procedure for reporting any incident of bullying or harassment.

**POLICY**

This policy applies to all full and part time employees, directors, officers, consultants, external contractors and any person who can be defined as a “Worker”. Any third-party supplier, customer, client or visitor will also be expected to adhere to the standards detailed in this policy. Everyone associated with our business, including as part of its commissioning and production activities must in every situation apply the basic principles of fairness, honesty, integrity, and compliance with the law.

Workers should feel that they are treated with the requisite dignity and respect and management are expected to act as role models in their business conduct and leadership style. Behaviour that goes against our standard of business ethics will be identified and investigated.

This policy is non-contractual and it does not form part of workers’ terms and conditions. However, as part of our policies and procedures it should be read and understood that any breach of this policy will be managed through our disciplinary procedure. We reserve the right to amend this policy at any time. Our Equal Opportunities policy should be read in conjunction with this policy.

**Who does this policy apply to?**

This policy applies to those identified as Workers. It also applies to those individuals, subcontractors and suppliers visiting our premises and providing products and/or services to the business.

**What is harassment?**

Harassment is any unwanted conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment. A person may be harassed even if they were not the intended "target". Harassment also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. It is unlawful under the Equality Act 2010 to harass a person because of their age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. It also includes conduct of a sexual nature (sexual harassment). Harassment is unacceptable even if it does not fall within any of these categories. Examples of harassment include, but are not limited to:

* unwanted physical conduct including touching, pinching, pushing and grabbing;
* unwelcome sexual advances or suggestive behaviour;
* offensive e-mails, text messages or social media content or the display of offensive materials;
* unwanted jokes, banter, mocking, mimicking or belittling a person.

**What is bullying?**

Bullying is offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying can include the use of personal strength or the power to coerce through fear or intimidation, not necessarily from someone in a position of authority. Bullying may be physical, verbal or non-verbal. It can include conduct that is not face-to-face, including via text message, email and social media. Examples of bullying include:

* physical or psychological threats;
* overbearing and intimidating levels of supervision;
* inappropriate derogatory remarks about a person or their performance;
* shouting at staff;
* persistently picking on people in front of others or in private;
* blocking promotion and training opportunities;
* regularly and deliberately ignoring or excluding staff from work activities or work-related social events;
* setting a person up to fail by overloading them with work or setting impossible deadlines;
* regularly making the same person the butt of jokes.

Legitimate and reasonable criticism of a staff member’s performance or behaviour, or reasonable management instructions, do not amount to bullying. Bullying can take the form of physical, verbal and non-verbal conduct.

It can take place face to face, by email, text, social media and any form of communication that can be considered as offensive, intimidating, malicious or insulting. Behaviour that involves the misuse of power that can make a person feel vulnerable, upset, undermined, humiliated, denigrated or threatened qualifies as bullying and harassing and is unacceptable. Power does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation.

**What happens if this policy is breached?**

As stated above, any breaches of this policy may result in action under our disciplinary procedure. Breaches of the policy may also represent breaches of the law and may result in legal sanctions for the Worker and/or the business. Individuals, subcontractors and suppliers visiting our premises and providing products and/or services to the business may have contracts and relationships revoked if found to breach this policy.

Legitimate, reasonable and constructive criticism of a Worker’s performance or behaviour, or reasonable instructions given to Workers will not amount to bullying on their own.

**How will the Company provide protection and support?**

If you feel you are being harassed or bullied, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you feel uncomfortable. If this is too difficult or embarrassing, you should speak to [your manager or the Company’s HR officer], who can provide confidential advice and assistance in resolving the issue formally or informally.

If informal steps are not appropriate, or have not been successful, you should raise the matter as a grievance under our Grievance procedure. Where harassment is found to have occurred this will amount to misconduct or gross misconduct.

## No one who makes an allegation of harassment in good faith should be subjected to any detriment as a result. If you believe that you have suffered any such treatment, you should inform [the Whistleblowing Officer/NAME] immediately.

## “Good faith” does not mean that a reported concern must be correct, but it does require that a Worker be truthful when reporting a concern. The business aims to encourage openness and will support whistle-blowers who raise genuine concerns under this policy, even if they turn out to be mistaken.

Retaliation against someone or the victimisation of someone who reports a problem in good faith may result in sanctions against the retaliator, up to and including termination of their contract with us.

## If the [Insert Company Name] concludes that a whistle-blower has made false allegations maliciously or with a view to personal gain, the whistle-blower may be subject to disciplinary action.

**Will my concern be treated confidentially?**

Our intention is that Workers will feel able to voice whistleblowing concerns or other concerns of bullying and harassment openly under this policy. Completely anonymous disclosures can be difficult to investigate. If Workers would prefer to raise their concern confidentially, we will make every effort to maintain the identity of the Worker a secret and only reveal it where necessary, to those involved in investigating your concern.

**Why we apply this policy?**

It is our wish to set a standard in the industry where people are treated fairly and as equals and where everyone should experience a safe work environment. We are committed to creating a working environment of mutual trust and respect with support for cultural diversity, an open and honest team.

**Can I alert someone external to the Company?**

## The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases Workers should not find it necessary to alert anyone externally, however if the concern relates to a client, utilising the client’s Whistleblowing reporting procedure may also be appropriate. We strongly encourages Workers to seek advice and resolution through these options in the first instance.

## The law recognises that in some circumstances it may be appropriate for Workers to report concerns to an external body such as a regulator. Public Concern at Work operates a confidential helpline.

If you have any questions regarding the policy or you want to report an incident of harassment and/or bullying please speak to the person who is responsible for overseeing the business’s bullying and harassment policy and their contact details are listed below.

Name:……………………………………………………………………………………………………….

Position:……………………………………………………………………………………………………

Email:………………………………………………………………………………………………………..

Phone number:…………………………………………………………………………………………

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| --- | --- |
| **Whistleblowing Officer** | [NAME]  [TELEPHONE]  [E-MAIL] |
| **[Managing Director [OR OTHER TRUSTED INDIVIDUAL]]** | [NAME]  [TELEPHONE]  [E-MAIL] |
| **Public Concern at Work**  (Independent whistleblowing charity) | Helpline: (020) 7404 6609  E-mail: whistle@pcaw.co.uk  Website: www.pcaw.co.uk |

**Useful links:**

<https://www.nationalbullyinghelpline.co.uk/employees.html>

National Bullying Helpline – UK Charitable organisation addressing bullying and harassment

<https://www.gov.uk/workplace-bullying-and-harassment>

Government guidance on workplace bullying and harassment

<https://www.acas.org.uk/discrimination-bullying-and-harassment>

ACAS discrimination, bullying and harassment guidance

[https://www.cipd.co.uk/knowledge/fundamentals/emp-law/harassment/factsheet#gref](https://www.cipd.co.uk/knowledge/fundamentals/emp-law/harassment/factsheet%23gref)

Understanding the legal positions on bullying and harassment at work