

Harassment and Bullying Policy

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Policy Statement

We want everyone who works for us or with us to have personal dignity at work. It's important that we all think about our behaviour carefully and how others may react to it. Our behaviours should always be in line with our values. We take a zero tolerance approach to any form of harassment and bullying.

We treat any concerns about harassment and bullying seriously. We'll investigate concerns in a sensitive, objective and factual way as well as looking at what action needs to be taken, which can include disciplinary.

This policy tells you about raising a concern or what happens if one is raised about your behaviour. It's non contractual and may be changed in the future. If you have any questions about it please contact HR Services.

Who does it apply to?

This policy applies to anyone with a GB contract of employment.

Policy Detail - What do I need to know or do?

Harassment and bullying is behaviour that generally makes someone feel intimidated or offended. The behaviour could be unwanted physical contact or inappropriate conduct. It can also be done verbally (face to face or over the phone/video) or in writing and be directed at individuals or groups. It doesn't have to be directed at an individual themselves for them to be offended.

Examples of bullying or harassing behaviour may include:

- Spreading malicious rumours
- Unfair treatment
- Picking on someone
- Regularly undermining a competent worker
- Sending offensive e-mails or text messages

It's harassment when the unwanted behaviour is related to someone's age, sex, disability, gender (including gender reassignment), race, nationality, religion or belief or sexual orientation.

Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past. Concerns of a sexual harassment nature should be raised and managed under our **Sexual Harassment Policy**.

We don't consider reasonable and constructive feedback about your performance or conduct to be bullying behaviour.

If someone has a concern we'd like it to be raised and resolved quickly and informally. Sometimes this isn't possible and a formal approach needs to start. People managers need to raise all informal and formal harassment and bullying concerns with HR Services.

We have a separate resolution (formerly grievance) policy for concerns about your work or working environment. Our Ethical Business Policy tells you about our "Speak Up" helpline. This is for raising concerns about possible malpractice, corruption or illegal acts, damage to the environment or breach of health and safety regulations. You need to think which policy is the most appropriate to raise your concern.

Informal Stage

We encourage you to sit down with your manager, your manager's manager or another manager that you feel comfortable with and have a conversation to talk about your concern and sort the issue out. This may involve having a meeting with those involved. If your concerns can't be settled this way, the formal stage should be followed.

Formal Stage

To raise a concern formally you ideally need to put it in writing to your manager, we encourage you not to delay doing this.

If your concern is about your manager then you should write to your manager's manager or another manager that you feel comfortable with. Any concern needs to say:

- Your full name and job role
- Date
- Specific details of your concern – who, what, where, when?
- Details of any witnesses or supporting evidence
- What resolution you'd like

This will be looked into by an appropriate manager. They'll let you know that they've received your concern and invite you to a harassment and bullying fact finding meeting. This will normally be done within 5 working days.

Your fact finding meeting will take place without reasonable delay. You can have a companion (colleague/TU rep) with you and you need to make every effort to attend this meeting. The fact finding exercise will be carried out as quickly as possible and can include speaking to the person you've complained about, speaking to other people, looking into facts and history. The manager should let you know how long they think it will take them to do this and reach an outcome.

Once a decision has been reached, you'll be told of the outcome in writing. Sometimes the manager may decide to meet with you to talk it through. You have the right to appeal the decision.

If you've already raised and had an outcome on a formal harassment and bullying concern, we won't reinvestigate it again through a new complaint being raised.

During the Fact Finding Exercise

If you've raised a concern or if a concern has been raised about you we may make temporary changes to either parties working practices or place one or both of you on paid suspension. Suspension is not a disciplinary action. It will be on full pay and will be as brief as possible. The fact finding manager will keep in contact with you.

If a concern has been raised about your behaviour, the manager will invite you to a harassment and bullying fact finding meeting. You may have a companion (colleague/TU rep) with you and you need to make every effort to attend this meeting.

Once the fact finding exercise is complete, the manager will let you know their findings and any next steps. If they decide that there's a case to answer against you the Disciplinary Policy will be followed.

Anybody involved in a fact finding exercise will be protected from victimisation and retaliation. We ask you to keep this matter and anything that's discussed in informal or formal meetings confidential and not talk to others about it.

Support Available

We understand that raising or being part of a harassment and bullying concern may be a difficult experience, no matter how well it's carried out. We encourage you to speak to your manager or another manager about your concerns. We also have our Employee Assistance Programme which gives you free and confidential advice and support.

Record Keeping

Accurate notes should be taken at all stages of any formal process. These notes along with any other documentation need to be kept securely. We provide a note taker to capture meeting notes so we don't allow meetings to be taped, digitally recorded or videoed.

You need to be aware that we may need to share the information you give us with the person who the matter is about. If you have concerns about this please talk to us and we'll let you know what we can do.

Leavers

If you have a grievance but you're leaving our employment or you've already left, you need to put it in writing to your manager or manager's manager. This needs to be done within 8 weeks of you leaving. We'll consider the best approach to handle your grievance and we may decide that it's still appropriate to consider it in line with our formal stage.

Alternatively we may think it's more appropriate to respond to you in writing or may consider it inappropriate to investigate further as you're no longer an employee.

Policy breach and consequences - What happens if I don't follow it?

Every day, each and every one of us has a personal accountability to do the right thing, to act responsibly, follow the law and treat others with respect. We all have an important role to play in creating and sustaining an inclusive and thriving working environment. We expect that you will treat everyone with dignity and respect, being mindful of your behaviour and how others may react to it. Not doing the right thing could impact your myPerformance end of year rating, and any potential breach of this policy or our Code of Conduct, may lead to disciplinary action being taken.

Related Documents

The following related documents can be found on our [Policies and Disclosure](#) page on Focus:

- Companion Guidance (GB&IE)
- Witness Guidance (GB&IE)
- Appeal Guidance (GB&IE)
- Sexual Harassment Policy (GB)
- Resolution (formerly Grievance) Policy (GB)
- Wellbeing and Resilience Policy & Guidance
- Ethical Business Policy
- Disciplinary Policy (GB)
- Internal Privacy Notice