

## Anti-Harassment and Bullying Policy

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### 1. Introduction

We are committed to having a workplace which is free from harassment and bullying. Also, to make sure that all employees, contractors and others who come into contact with us in the course of our work, are treated with dignity and respect.

### 2. Scope

We are striving to ensure that the work environment is free of harassment and bullying and that everyone is treated with dignity and respect is central to ensuring equal and equitable opportunities in employment.

We will not tolerate bullying or harassment in our workplace or at work-related events outside of the workplace. This is regardless of whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

Neither will we tolerate retaliation against, or victimisation<sup>1</sup> of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal.

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<sup>1</sup> 'Victimisation' is being treated unfairly because you made or supported a complaint to do with a 'protected characteristic', or someone thinks you did.

You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

We will take appropriate action if any of our employees or contractors are bullied or harassed by our stakeholders or suppliers.

Allegations of bullying and harassment will be treated seriously. Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee or contractor, then the employee may be subject to disciplinary action, up to and including dismissal.

Employees and others 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. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our Disciplinary procedure found in the Staff Handbook.

This policy and procedure is intended to support this commitment in practice and to provide guidance to staff on how to deal with concerns of bullying or harassment at work.

### **3. Definitions of harassment and bullying**

#### **3.1 Harassment**

Harassment is any unwanted physical, verbal, or non-verbal 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 and causes a detrimental effect. A single incident can amount to harassment. It also includes treating someone less favourably because they have submitted or refused to submit to such behaviour in the past.

Harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to 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. Harassment is unacceptable even if it does not fall within any of these categories.

Harassment may include, for example:

- (a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- (b) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);
- (c) offensive e-mails, text messages or social media content;
- (d) mocking, mimicking or belittling a person's disability.

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

A person may be harassed even if they were not the intended "target". For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment.

### 3.2 Bullying

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. 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.

Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include, by way of example:

- (a) physical or psychological threats;
- (b) overbearing and intimidating levels of supervision;
- (c) inappropriate derogatory remarks about someone's performance;

Legitimate, reasonable, and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying.

## 4. Reporting concerns

### **What you should do if you witness an incident you believe to be harassment or bullying**

If you witness such behaviour, you should report the incident in confidence to your manager or the CEO. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

### **What you should do if you feel you are being bullied or harassed by a stakeholder or supplier (as opposed to a colleague)**

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with your manager in the first instance or, with the Chief Executive Officer (CEO). 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 or contractor, there are two possible avenues for you, informal or formal.

#### 4.1 Informal resolution

If you are being bullied or harassed by another employee or contractor, 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 your manager or a colleague 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 your own manager, you should raise the issue with the CEO. The CEO will discuss with you the option of trying 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.
- the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible for the CEO to have this conversation with the alleged perpetrator without revealing your name, if this is what you want. 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. The CEO will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of sexual or racial harassment or in cases where a problem has happened 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.

If you hold a complaint about the CEO, please contact the Chair of Trustees who will discuss the matter with you.

#### 4.2 Raising a formal complaint

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to your manager or the CEO, under our Grievance procedure. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to cooperate 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.
- Any action taken by you to resolve the matter informally.

The alleged perpetrator(s) would 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. Where you and the alleged

perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

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 a 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 to a more senior manager 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 be invited to attend a meeting to consider it. Once again, you may be accompanied by a fellow worker or a trade union official. We will write to you afterwards to confirm our final decision.

## 5. Disclosure and confidentiality

We will treat personal data collected during this process in accordance with the Data Protection policy.

## 6. Use of the disciplinary procedure

Harassment and bullying constitute serious misconduct. If, at any stage, from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.

Staff who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way may be subject to disciplinary action under our Disciplinary Procedure.

### Review

	Date	Completed by
First Written	March 2023	Maryse Degbegni
Trustee Approval	June 2023	Ben Weston-Conway
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