

Harassment and Bullying Policy

TOUGH ENOUGH TO CARE

Introduction

1. Harassment or victimisation on the grounds of race, colour, nationality, ethnic or national origin, sex, marital status, gender reassignment, sexual orientation, religious belief, disability or age is unacceptable. This policy covers all types of harassment.
2. Personal harassment takes many forms ranging from tasteless jokes and abusive remarks to pestering for sexual favours, threatening behaviour and actual physical abuse. Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable.
3. Tough Enough To Care recognises that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

Policy

1. Tough Enough To Care deplores all forms of personal harassment and bullying and seeks to ensure that the working environment is sympathetic to all our employees.
2. We have published these procedures to inform employees of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.
3. Tough Enough To Care recognises that we have a duty to implement this policy and all employees are expected to comply with it.

Examples of Harassment

Personal harassment takes many forms and employees may not always realise that their behaviour constitutes harassment. Personal harassment is unwanted behaviour by one employee towards another and examples of harassment include:

- insensitive jokes and pranks;
- lewd or abusive comments about appearance;
- deliberate exclusion from conversations;
- displaying abusive or offensive writing or material;

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- unwelcome touching; and
- abusive, threatening or insulting words or behaviour.

These examples are not exhaustive and disciplinary action at the appropriate level will be taken against employees committing any form of personal harassment.

Examples of Bullying

Bullying is persistent behaviour, directed against an individual or group that creates a threatening or intimidating work environment which undermines the confidence and self esteem of the recipient. Examples include:

- Verbal abuse eg. shouting, swearing at colleagues or subordinates.
- Threats or insults.
- Abuse of power or unfair sanctions.
- Practical jokes, initiation ceremonies.
- Physical abuse.
- Rifling through, hiding or damaging personal property.
- Ostracising or excluding colleagues from work or social events.

Complaining about Harassment or Bullying

1. Informal complaint

Tough Enough To Care recognises that complaints of personal harassment or bullying, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be the person who will be responsible for investigating the matter if it becomes a formal complaint.

If you are the victim of minor harassment/bullying you should make it clear to the perpetrator on an informal basis that their behaviour is unwelcome and ask the perpetrator to stop. If you feel unable to do this verbally then you should hand a written request to the person. Your confidential helper can assist you in this.

2. Formal complaint

Where the informal approach fails or if the behaviour is more serious, you

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should bring the matter to the attention of the board of trustees as a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the behaviour that you find offensive so that the written complaint can include:-

- the name of the alleged perpetrator;
- the nature of the alleged behaviour;
- the dates and times when the alleged behaviour occurred;
- the names of any witnesses; and
- any action already taken by you to stop the alleged behaviour.

On receipt of a formal complaint we will take action to separate you from the alleged perpetrator to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged perpetrator to another work area or suspension with contractual pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation which will normally be within ten working days of the meeting with you, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to you and to the alleged perpetrator.

If you or the alleged perpetrator are dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered by the investigator before a final report is sent, in writing, to you and to the alleged perpetrator. You have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.

General Notes

1. If the report concludes that the allegation is well founded, the perpetrator will be liable to disciplinary action in accordance with our disciplinary and disciplinary dismissal procedure. An employee who receives a formal warning or who is dismissed for harassment/bullying may appeal by using our capability/disciplinary appeal procedure.

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2. If you bring a complaint of harassment/bullying you will not be victimised for having brought the complaint. However if the report concludes that the complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you.

Victim Support

Tough Enough To Care will seek to provide additional assistance to victims by contacting outside agencies who will provide specialist advice and support, with the staff member's permission.

Tough Enough To Care will provide additional support to victims of harassment, until the case is resolved. Wherever possible, Tough Enough To Care will ensure that staff are available to support victims if they so wish.

Confidentiality

Tough Enough To Care will respect and maintain the confidentiality of matters concerning the staff and volunteers and of any members of the public giving information in harassment cases.

Signed:	
Name:	
Date:	