

LIVE WELL IN BRAUNTON

ANTI-HARASSMENT AND BULLYING POLICY

Introduction

We are committed to an environment which is free from harassment and bullying and to ensure that all employees, volunteers, service users and others who come into contact with us in the course of what we do are treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability. Striving to ensure that the environment is free of harassment and bullying and that everyone is treated with dignity and respect is central to ensuring equal opportunities for all

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

Policy

We will not tolerate bullying or harassment during the course of our activities 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 of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also constitute where appropriate a disciplinary offence, which may in appropriate circumstances lead to dismissal. 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 volunteers are bullied or harassed by our stakeholders, suppliers or service users.

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 or volunteer has harassed or bullied another employee or volunteer, then the employee may be subject to disciplinary action, up to and including dismissal and the volunteer subject to appropriate action.

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, volunteers and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

What type of treatment amounts to bullying or harassment?

Bullying or harassment is something that has happened that is unwelcome, unwarranted and causes a detrimental effect. If employees or volunteers complain they are being bullied or harassed, then they have a grievance which must be dealt with regardless of whether or not their complaint accords with a standard definition.

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

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management nor appropriate management in relation to volunteers.

Reporting Concerns

If you witness an incident or behaviour you believe to be harassment or bullying you should report the matter in confidence to your manager or person responsible for your supervision and otherwise the Chair. Such reports will be treated in strict confidence as far as it is possible to do so.

If you are being bullied or harassed by someone with whom you come into contact please raise this with your manager or person responsible for your supervision. We will then decide how to deal with the situation in consultation with you

If you are being bullied or harassed by another employee or volunteer there are two possible avenues for you, informal or formal:

Informal Resolution

If you are being harassed by another employee or volunteer, 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 meeting the perpetrator(s).

If the above approach does not work or if you do not want to try resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the Chair. The Chair 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 colleague
- that such behaviour is contrary to our policy
- that the continuation of such behaviour could amount to a serious disciplinary offence

It may be possible for the Chair 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) at North Devon Voluntary Services to facilitate a resolution of the problem. The Chair 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 action. 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 formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

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 Chair. A formal complaint may ultimately lead to disciplinary action against the perpetrator(s).

We will first investigate the complaint. You will need to co-operate 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 and
- 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, suitably qualified representative or other appropriate person notified to the investigator in advance.

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 an appropriate person at North Devon Voluntary Services if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reason 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 a meeting to consider it. Once again you may be accompanied by a fellow worker or suitably qualified representative. We will write to you afterwards to confirm our final decision.

Disclosure and Confidentiality

A written record will be kept of both Informal and Formal Complaints in such detail as is appropriate to the complaint. We will treat personal data collected during this process in accordance with the data protection policy. Information about how the data is used and the basis for processing data is provided in the policy

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 procedures. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal, and a volunteer subject to appropriate action