

Bullying & Harassment Policy & Procedure

Compass Disability Services
Units 11 – 12 Belvedere Trading Estate
Taunton TA1 1BH

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Introduction

Compass Disability Services is committed to identifying and eliminating all forms of discrimination, providing equal opportunities to all, promoting diversity throughout our organisation, and encouraging all persons to treat each other with respect.

Compass Disability Services supports a working environment for individuals in which dignity at work is paramount and a culture in which bullying and harassment is unacceptable.

Bullying and harassment is not just morally unacceptable but in most cases it is also unlawful. Any allegations raised regarding bullying and or harassment will be taken seriously and treated confidentially. Compass Disability Services will not tolerate victimisation against any employee or volunteer making a complaint under this policy or against employees or volunteers who assist or support a colleague in making a complaint.

Scope

This policy applies to anyone associated with Compass Disability Services including; customers , employees, Trustees, volunteers, suppliers and contractors and staff from other organisations working with Compass Disability Services.

Policy Statement

Compass Disability Services recognises that all employees and volunteers have the right to be treated with consideration, dignity and respect and seeks to create an environment in which all employees, volunteers and Trustees feel valued and respected. We aim to provide a positive and fulfilling environment in which to work or volunteer.

This policy promotes the respectful treatment of staff and volunteers within the organisation and the protection of our employees and volunteers from bullying and harassment at work. Bullying and harassment will not be tolerated by Compass Disability Services in any form and may result in disciplinary action being taken.

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What is bullying & harassment?

Bullying and harassment are very similar and are both unwanted behaviours that can cause an individual to feel uncomfortable in the workplace. There are however some differences, e.g. harassment is usually linked to prejudice or discrimination based on a person's actual or perceived protected characteristic, whereby bullying is more an attack against someone regardless of their race or gender, etc. The person being bullied or harassed typically feels undermined, intimidated, humiliated, belittled or injured. It may be obvious or it may be insidious. It may be direct comments or actions towards the subject of bullying or harassment or it could be comments or actions to another individual that can cause a third party to feel uncomfortable, humiliated etc. Whatever form it takes, it is unwarranted and unwelcome to the individual.

Harassment is a form of discrimination, and is defined as unwanted conduct which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Under the 2010 Equality Act harassment is against the law when the unwanted behavior is related to one or more of the following protected characteristics

- Age
- Disability
- Gender reassignment
- Race
- Religion or belief
- Sex
- Sexual orientation

The individual being harassed does not need to possess the relevant characteristic themselves as it can be because of their association with a person who has a protected characteristic, or because they are wrongly perceived to have one, or are treated as if they do.

Please note that whilst at present the laws harassment provisions do not apply to pregnancy and maternity or marriage and civil partnership, any unfavorable treatment may still be deemed as discrimination under the law and as stated previously will not be tolerated.

Under the Equality Act 2010 an employee can also make a complaint against an employer when:

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- They are harassed by someone who doesn't work for the organisation such as a customer or another organisations member of staff.
- They find the behaviour offensive even if it is not directed at them.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, belittle or injure the recipient. It is a negative attack on a person's professional or personal performance. Attacks are typically unpredictable, irrational and often unseen.

Whilst bullying may not be unlawful we have a duty of care to all of our staff and volunteers and it will not be tolerated in any form and disciplinary action may be taken in line with the disciplinary and grievance policy and procedures.

What constitutes bullying and harassment?

Bullying and harassment can take place verbally, face to face, via social media, email, written communications, phone, text messages, use of visual images, by an employee or a volunteer or by someone who doesn't work for Compass Disability Services such as a customer or a member of staff who works for another organisation.

Appendix 1 gives examples of unacceptable behaviours that can be considered to constitute bullying or harassment.

Responsibilities

The organisation has a responsibility under the Health & Safety at Work Act 1974 to protect employees from work related illness; this could include stress from bullying or harassment. For more information go to www.hse.gov.uk

Senior management and line managers have a responsibility to implement this policy and to bring it to the attention of staff and volunteers in their work area. In order to establish and maintain a work environment free of bullying and harassment they will:

- Treat a complaint or allegation seriously and deal with it promptly following the disciplinary and grievance procedure as laid down in the staff handbook and volunteer handbook.
- Respect confidentiality, giving the employee or volunteer and the alleged perpetrator full support during the whole process.
- Set a positive example by treating others with respect and setting standards of acceptable behaviour; also, promote a working environment where harassment is unacceptable and not tolerated.

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- Tackle, and where possible, resolve incidents of harassment. When the perpetrator is from outside of the organisation, e.g. a customer, management will take action to resolve it. Compass Disability Services will not tolerate any behaviour towards its staff or volunteers that it considers to be discriminatory, offensive or abusive and reserves the right to withdraw services or contact from persistent abusers.

All staff and volunteers have personal responsibility for their own behaviour and for ensuring that they comply with this policy. Staff and volunteers should report any incidents of bullying and harassment which come to their attention to an appropriate manager. It is understood that an individual being bullied or harassed may find it difficult to challenge the situation; however the following actions may be helpful:

- It may be possible for the complaint to be resolved quickly by explaining directly to the harasser the effect their behaviour is having and that you want it to stop.
- You should always make it clear that if it continues you will make a formal complaint.
- If the behaviour of a person is aggressive it may be necessary to walk away making it clear you do not wish to be spoken to in that way.
- Keep a diary of all incidents – records of dates, times, any witnesses, your feelings etc. Keep copies of any correspondence that may be relevant, for example reports, letters, emails, notes of any meetings that relate to you.
- If you do not feel able to raise your concerns with the person directly, you may feel able to write to them stating that you feel harassed, state where and when this occurred and how you wish to be treated. Always keep a copy.

Compass Disability Services encourages an environment of positive challenge to inappropriate behaviour to reduce bullying and harassment and there are a number of things that staff and volunteers can do to help prevent bullying and harassment, such as:

- Set a positive example by treating others with respect.
- Be aware of the organisations policy and comply with it.
- Do not accept behaviour that may be offensive when directed against you or others, and take positive action to ensure that it is challenged and/or reported.
- Be supportive of colleagues who may be subject to bullying and/or harassment.

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Training

- On commencing with the organisation staff, volunteers and Trustees will receive bullying and harassment awareness training as part of the mandatory Equality and Diversity training programme and every three years thereafter.
- Line Managers will be given guidance on how to handle complaints of bullying and harassment effectively.

Independent Advice

If an individual that is being bullied or harassed finds it difficult to talk about it within the work environment; they can contact the following organisations for advice and support:

Arbitration Conciliation and Advisory Service (acas) helpline

Tel: 0300 123 1100

Text Relay Service: 18001 0300 123 1100

Further information can be found on their website www.acas.org.uk

UK National Workplace Bullying Advice Line

Tel: 0845 22 55 787 or 07734 701221

Further information can be found on their website

www.nationalbullyinghelpline.co.uk

Policy Revision

This policy will be reviewed every three years and amended as necessary, or earlier in accordance with any forthcoming legislation. All employees and volunteers should pass suggestions or recommendations for the revision of any aspect of this policy through normal channels to the Chief Executive.

Supporting Documents

Whistle Blowing Policy

Equal Opportunities Policy

Disciplinary & Grievance Procedure

Health & Safety at Work Act 1974

Protection from Harassment Act 1997

Equality Act 2010

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Appendix 1

Examples of unacceptable behaviours that can be considered to constitute bullying and harassment:

- Bullying by exclusion – this may take the form of social isolation and/or exclusion from meetings
- Deliberate withholding of information with the intention of affecting a colleagues performance
- Removing responsibilities
- Undermining a person’s role or instructions
- Unfair and destructive criticism carried out publicly or privately
- Intimidating behaviour
- Name calling (consideration should also be given to the use of ‘pet names or nick names’)
- Shouting or screaming at someone
- Setting someone up to fail
- Verbal abuse and spreading of unfounded rumours
- Humiliation or ridicule
- Setting unrealistic targets which are unreasonable and/or changed with limited notice or consultation
- Copying emails that are critical about someone to others that do not need to know
- Criticism or innuendoes based on protected characteristics
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

Harassment can be in many forms, below are some examples

- Spreading rumours
- Racist, sexist or homophobic jokes
- Exclusion or victimisation
- Unwelcome sexual advances (touching, standing too close, sending inappropriate messages or images by text or email, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected)
- Physical contact varying from touching to criminal assault
- Display of offensive material
- Unwelcome remarks about a person’s dress, appearance, race, gender, sexual orientation or marital status
- Using social media to display offensive material or spread rumours.

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Below are some examples of the kinds of comments which could be used to excuse bullying:

- “It’s a personality clash”
- “We have a robust management style here”
- “Its just him/her kicking off again”
- “They are just being over sensitive”
- “It’s their management style – but that’s what works”
- “We don’t take ourselves too seriously here”
- “We don’t mean anything by it”
- “I don’t have a problem with it, so why should they?”
- “You have got to have a laugh sometimes
- “Terrible attitude problem, if you ask me”
- “Yes, she’s/he’s a bit abrasive at times”

These lists are not exhaustive.

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